

PARTICIPATORY LAND USE PLANNING (PLUP) IN CAMBODIA

**Proceedings of the Second PLUP Workshop
03 – 04 April 2000**

Department of Forestry and Wildlife, Phnom Penh

Organized by

GTZ/MRC Sustainable Management of Resources Project (SMRP)

In cooperation with the

PLUP Task Force

Report and Appendices

Prepared by

Florian Rock

Phnom Penh

April 2000

1. INTRODUCTION

1.1 Background

The Sustainable Management of Resources Project (SMRP) has started supporting the ongoing process of PLUP in Cambodia with the organisation and facilitation of a first introductory workshop in September 1999.

The main conclusions from the first workshop on future action needs on PLUP were:

- Improve co-ordination by creating PLUP working groups (national and provincial level) and a communication network
- Develop a methodological framework for PLUP in Cambodia (in several steps)
- Start an information, documentation and dissemination campaign on PLUP (national and provincial level)
- Develop a training system for PLUP

It was also decided to hold a second workshop on PLUP uniting the same group of projects and institutions again during the first half of 2000 in order to report on the progress achieved by the various actors on provincial level. It was also intended to make use of such a second event to define in more detail the required contributions and the possible process of elaborating guidelines for PLUP in Cambodia.

The second workshop on PLUP was held in Phnom Penh in the offices of the DoFW from 3-4 April 2000. The workshop program and the participants are listed in annexes 1 and 2 respectively. The workshop was officially opened by Mr. Ung Sam Ath, Deputy Director of DoFW ([Annex 3](#)).

1.2 Workshop Objectives

The objectives of the second workshop were defined as follows:

- Co-operation and co-ordination between projects and institutions involved in community forestry and participatory land use planning (PLUP) in Cambodia is further strengthened.
- A common understanding has been reached on the elaboration of PLUP guidelines for Cambodia including the contents, the process and the future contributions by each actor.

2. SUMMARY OF MAIN CONTRIBUTIONS AND DISCUSSION PROCESS

In the first presentation of the workshop, Dr. Hans Helmrich, Chief Technical Advisor, SMRP, informed on the developments with regard to PLUP networking on the national level and with the various provincial actors. To this intent a PLUP task force was created soon after the first workshop in September 1999. Strong ties exist between this new task force and the well-established CF working group.

To date the DoFW, MoE, the cadastral office in the MLMUPC and FAO Siem Reap are all represented in the PLUP task force and have met twice since September 1999. Support services were provided to three sites in the form of base maps and Remote Sensing (RS) prints produced by the GIS section of DoFW. Furthermore the task force was instrumental in organising the second workshop in April.

The PLUP task force will strive towards organising services to provincial focal points and between the provinces. It is intended to support the communication links between institutions on national level and between the national and the provincial level ([see Annex 4](#)).

Although four participating projects had already presented their activities and achievements in Community Forestry (CF) and PLUP during the previous workshop, an exchange and information session was included on the first day in order to update all participants on latest developments in PLUP, available documents and past training events.

To stimulate and structure the brief presentations by all participating organisations a few guiding questions were proposed. Participants were asked to report on their documentation efforts and the present mechanisms used to share experiences gained in CF/PLUP by answering the following questions:

1. What has been documented and how?
2. Who are the clients/users?
3. Are documents produced jointly with others?
4. Are documents shared with others?
5. Are these documents used for training in CF/PLUP?
6. Is further documentation planned?
7. Do you conduct training on PLUP? If yes, for or with whom?

The results of this exercise are reflected in [annex 5](#).

As the development of PLUP processes is still relatively young in Cambodia and the legal framework remains incomplete, a short introduction to the practices of PLUP/LA in the neighbouring countries was part of the workshop program. Participants to the first workshop had even suggested a more detailed analysis of past achievements and shortcomings of PLUP/LA from the sub-region. It was felt that, even though the frame conditions vary to a great extent between Cambodia and its neighbours, some lessons could still be drawn. Therefore a short input on the topic was given by Mr. Florian Rock comparing selected elements of the PLUP/LA programs from Lao P.D.R. and Vietnam and describing the general approach and history of LUP in both countries. This comparison in tabular form is represented in [annex 6](#).

Mr. Doug Henderson presented a summary of the draft CF guidelines, focussing mainly on the institutional framework and organisational aspects presented in the document. A preliminary version of the CF guidelines will be discussed with a wider audience during a workshop planned in May 2000 ([see annex 7](#)).

The discussion on the future guidelines in PLUP was started by a group exercise to identify possible target groups and levels to be addressed with such a document. Two alternative scenarios were developed by the moderator. The first option, described as comprehensive guidelines on PLUP would mainly address decision makers at national level with the aim of advancing legal issues and aiming at policy development. The other option, referred to as PLUP manual would rather address the practitioner working in a province or district setting and would focus on methodological aspects of PLUP, based on field experience and practical examples.

None of two options were clearly favoured by a majority of participants, as a need for both levels was identified. A different approach to the issue was therefore chosen by trying to clarify first which group of persons would contribute to the further development of the envisaged PLUP guidelines.

Once again two alternatives on the procedure and involvement of organisations in the elaboration of PLUP guidelines were proposed:

Elaboration of guidelines on PLUP as a joint process with all relevant projects/institutions contributing, including MoE, GIS, LMUPC;

process could take more or less 1 year;

Output: Standard document.

First prepare broadened documentation in specific provinces:

e.g. FAO Siem Reap, Ratanakiri and possibly others;

Provincial workshops to present results and case studies with contributions from national level: MoE, MLMUPC, Cadastral department etc. in order to first strengthen the interaction between national and provincial level

A decision on the drafting of one document on PLUP guidelines would then be taken at a later date.

The majority of participants clearly favoured an involvement of all concerned projects/institutions from the beginning and suggested that all sides should contribute their know how, so that the exercise of preparing the guidelines would have a national scope from the onset.

In order to clarify the issue of whether the future document would qualify as "manual" or as "guidelines", a brainstorming exercise on possible contents of the paper was held. The various suggestions on contents were then regrouped under specific topics, which can be regarded as the future chapters of the document ([see annex 8](#)). The very comprehensive nature of the chosen topics shows, that the document, if elaborated in this form, will be a combination of what was earlier characterised as "guidelines" or "manual" on PLUP in Cambodia.

It was then decided to start the effort of jointly elaborating the guidelines by allocating clear assignments with regard to each identified topic to all the actors involved. End of June was found to be a suitable date to come together again in Phnom Penh in order to share the topic papers prepared until then. For each topic one person was chosen as responsible focal point and coordinator, who would have to remind and encourage all contributing partners to fulfill their respective commitments. In the meeting scheduled for June, at least one

paper would be presented on each topic.

See detailed list of commitments in [annex 10](#).

3. CONCLUSIONS OF THE WORKSHOP AND OUTLOOK ON FUTURE ACTIVITIES TO BE COORDINATED BY THE PLUP TASK FORCE

The main results/conclusions of the workshop are:

1. The main elements for a table of contents for guidelines on PLUP for Cambodia have been defined.
2. The next meeting of all the participants is planned for **29 and 30 June 2000**, for 1 ½ days.
3. All concerned projects and institutions will contribute during the next meeting in June with presentations on specific topics which have been identified as possible contents of the PLUP guidelines. Clear commitments have been received for each topic, names of responsible persons and organisations for each topic are listed in Annex 10. Additional case studies, reports and other relevant materials will also be presented in June.
4. The awareness on PLUP and its relationships with CF has been enhanced among the participating projects/institutions.
5. Co-operation and collaboration among the contributing projects and institutions has been further strengthened.
6. Decisions on how to proceed with the drafting of PLUP guidelines and when to involve additional provincial staff as well as other interested projects/organisations will be taken in June 2000.

Several issues and some very specific problems with regard to PLUP in Cambodia emerged during the presentations and discussions. These issues were collected on a memory board and will be dealt with in future meetings and during the process of guideline elaboration ([see annex 11](#)).

The following issues/elements were retained for the agenda of the June 2000 meeting:

1. Presentations as outlined in Appendix;
2. Discussions in working groups on the various topics presented;
3. Presentations by the additional participants invited for the first time; what are their main activities in PLUP, CF or CBNRM?;
4. Discussion and decisions on how to proceed (see above).

Additional organisations/projects to be invited for the June 2000 meeting:

- CARERE Battambang, CARERE Siem Reap, CARERE Banteay Mean Chey
- UNV Siem Reap
- OXFAM
- WWF

The program, the contributions, the results and the moderation of the workshop were evaluated positively by a vast majority of the participants in a final workshop evaluation exercise ([annex 12](#)). Some shortcomings were also identified with regard to the organisation of the workshop.

The workshop was officially closed by Mr. Chea Sam Ang, Deputy Director of DoFW ([annex 13](#)).

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ANNEX 1: WORKSHOP PROGRAM

Day 1: 03 April 2000

08.00-09.00	<p><u>Introduction</u></p> <ul style="list-style-type: none"> • Welcome • Opening speech • Introduction of participants • Objectives and program
09.00 – 09.30	PLUP Taskforce
09.30 – 10.00	Tea break
10.00-12.00	Documentation of experiences in PLUP and sharing of experiences
12.00 – 13.30	Lunch break
13.30 – 14.30	PLUP guidelines: Target groups and addressed levels
14.30 – 15.30	Example of PLUP/LA from LAO PRD and Vietnam
15.30-16.00	Tea break
16.00 – 17.00	Summary on CF draft guidelines
18.00	Dinner reception

Day 2: 04 April 2000

08.00-8.30	Summary of day 1
08.30 – 10.00	Development of PLUP guidelines and the contents
10.00 – 10.30	Tea break
10.30 – 12.00	Development of PLUP guidelines <ul style="list-style-type: none">• The process• The actors
12.00 – 13.30	Lunch break
13.30 – 15.00	Winding up: <ul style="list-style-type: none">• Summary• Closing speech

ANNEX 2: List of Participant PLUP Workshop 3 to 4 April, 2000

No	Institution	Participant	Position	Contact #	E-Mail
1	CARERE Ratanakiri	Chan Monie	CARERE RTK		carererat@bigpond.com.kh
2	CARERE Ratanakiri	Graeme Brown	Advisor		carererat@bigpond.com.kh
3	CARERE Ratanakiri	Hen Bakong	Land Title Department	C/o CARERER RTK	carererat@bigpond.com.kh
4	CARERE Ratanakiri	Hor Hong	DoE	C/o CARERER RTK	carererat@bigpond.com.kh
5	CARERE Ratanakiri	Nhem Sovanna	CARERE RTK		carererat@bigpond.com.kh
6	CONCERN	Elizabeth Weight	CF Program Advisor	(023) 214 891	concerncf@bigpond.com.kh
7	CONCERN	Ly Chou Beang	CF Program Coordinator	(023) 214 891	concerncf@bigpond.com.kh
8	DoFW	Min Bunnara	Staff	012 839 960	
9	DoFW	Ung Sam Ath	Deputy Director	015 837 830	
10	DoFW	Vong Sopanha	Deputy Secretariat	012 858 236	
11	DoFW Mondulkiri	Chan Chesda	Director	012 893 007	
12	FAO Siem Reap	Etinne Delattre		(063) 963 525, 963 461	fao-sr@rep.forum.org.kh
13	FAO Siem Reap	Kim Sovann		(063) 963 525, 963 461	fao-sr@rep.forum.org.kh
14	FAO Siem Reap	Prak Marina		(063) 963 525, 963 461	fao-sr@rep.forum.org.kh
15	FAO Siem Reap	Renaud Bailleux		(063) 963 525, 963 461	fao-sr@rep.forum.org.kh
16	Geography Department	Ith Sotha	Director		iric@forum.org.kh
17	GIS Unit	C. Feldkoetter	Consultant	(023) 211 636	dfwgis@bigpond.com.kh
18	GTZ / LUMPC	Thomas Bauerle	Technical Advisor	016 880 237	gtz.lmp@bigpond.com.kh
19	GTZ CGFP	J. Fichtenau	Technical Advisor	(023) 214 651, 012 895 620	yeti@bigpond.com.kh
20	IDRC	Doug Henderson	Consultant	(023) 214 325	dhenderson@bigpond.com.kh
21	IDRC Coastal Project	Melissa Marchke			moecoast@forum.org.kh
22	IRIC	Chhin Chharom	GIS/RS Advisor	012 806 364	chharom@writeme.com
23	LMUPC	Lor Davuth	Director of Technical	015 916 871, (023) 364 659	
24	Ministry of Environment	Keo Veasna	Technical Staff GIS		
25	Ministry of Environment	Lun Kimhy	Staff	(023) 721 462	mrcgtzhy@bigpond.com.kh

26	Ministry of Environment	Prum Vichet	Deputy Director	012 879 922	neap@forum.org.kh
27	Ministry of Environment	Touch Vina	Technical Staff GIS		
28	NTPF Ratanakiri	Chea Phalla		(075) 974 039	ntfp.rk@worldmail.com.kh
29	SMRP	Florian Rock	Moderator	(0033) 493 901166	Fml25rock@aol.com
30	SMRP Cambodia	Hans Helmrich	CTA	(023) 214 996	mrcgtzh@bigpond.com.kh
31	SMRP Cambodia	Va Hong	Liaison Officer	(023) 214 996	mrcgtz@bigpond.com.kh

ANNEX 3

Speech by Mr. Ung Sam Ath

Deputy Director, Department of Forestry and Wildlife
Opening of Workshop on Participatory Land Use Planning (PLUP)
03 to 04 April 2000

Lady and Gentlemen!

I am honored to attend the workshop on "Participatory Land Use Planning" that is organised by the Sustainable Management Resources Project in the Lower Mekong Basin (SMRP) in co-operation with Department of Forestry and Wildlife. On behalf of the Department of Forestry and Wildlife and myself, I would like to express warm welcome to Sustainable Management Resources Project in the Lower Mekong Basin (SMRP) which initiated the organisation this workshop. At this time organisation of such as a workshop is the right time for Cambodia as we are preparing the economic reforms following the government policy for improvement of social economy and people living standard. Agricultural development is prioritised in Cambodia. Most of the people living in rural areas and over 80% of the total population around the country are working as farmers. They live depend on their farm product. The issue of continuously increasing population and low farm yields as well as encroachment in forest land for agriculture land use caused conflict between farmer group with concessionaire groups and institution involved. Thus I hope that the workshop on Participatory Land Use Planning plays a key role and such some light to show the way sound land use planning. On objectives of land use planning would be to avoid conflicts that often happened between farmer's land use consumption with all concessionaire groups and all institutions involve.

Ladies and gentlemen!

However, the workshop is conducted in short time but I hope and believe that this workshop will give all of your ideas on accurate participatory land use planning in Cambodia.

Once again, on behalf of Department of Forestry and Wildlife and myself, I would like to express deep thanks to MRC / GTZ - SMRP that provides fund to support the workshop process until we get successful results. Also thanks to all participants who attend the workshop on participatory land use planning here.

Finally, I wish all of you have good health every successful implementation. At this time, I would like to take opportunity to declare the workshop on Participatory Land Use Planning open.

Thank you.

ANNEX 4: PLUP- TASK FORCE IN PHNOM PENH

History

- PLUP in the region
- PLUP workshop in Thailand organized by RECOFTC
- PLUP initiatives in Cambodia
- PLUP workshop last year September in Phnom Penh

Institutional Setting

- CF, Network Meeting
- CF Working Group
- A number of projects

Membership so far

- FAO Siem Reap
- DF&W
- MoE
- Cadastral Office

Activities so far

- 2 meetings
- delivery of services to three sites
- organization of the April workshop

Future Planning

- Organization of services to provinces and between provinces
- Communication between institutions oii national level and between national and provincial level

with the objective to

- provide opportunities for better sharing and teaming
- provide opportunities for systematic analysis and documentation of experiences for developing PLUP guidelines.

ANNEX 5: Overview on Documentation and Sharing of Experiences in CF/PLUP

Project Institution	Documentation	Sharing
<u>GTZ – CGFP</u>	Socio-economic survey (PRA) in 13 villages in Pilot area (O Doung, Kampong Speu)	Co-operation and information sharing with WFP and PRASAC so far.
	PRA study in two villages (entry point for project activities), will serve as case study for Forestry Extension Workshop (May 2000).	Planned co-operation: <ul style="list-style-type: none"> • GTZ Land Title Project (demarcation issues) • MRC / GTZ – SMRP (PLUP/GIS)
FAO Siem Reap – CF Unit	CF development	CF facilitation training
	Case study	Social forestry
	Forest Management Plan	<ul style="list-style-type: none"> • PADEK • CONCERN • UNV
	Regulation	<ul style="list-style-type: none"> • Forestry office • Fisheries office • PRD • Environment department
	Introduce GIS/GPS/RS as tool for CF process the FAO Siem Reap experience	FAO Siem Reap: provincial focal point for: <ul style="list-style-type: none"> • Community forestry, and • GIS activities
	FAO Siem Reap GIS unit: an overview	<ul style="list-style-type: none"> • Forestry • Fisheries • Local communities • Local authorities
	FAO Siem Reap GIS unit: data set catalogue	FAO Siem Reap: three districts resource assessment survey (draft): <ul style="list-style-type: none"> • Population • Agriculture • Forestry • Fisheries
	GPS training material (draft) with CAMCOFTT, provincial department	FAO Siem Reap: <ul style="list-style-type: none"> • Gender and natural resources (coming)
NTFP Ratanakiri	<ul style="list-style-type: none"> • Case study of Ya Pouy community forestry (CF in old growth forest) • Ya Pouy community forest rule/regulation 	<ul style="list-style-type: none"> • Neighbouring villages and communes • District and provincial levels • National level • NGOs and IOs • Only share information as Pilot Project • Training to Ya Pouy community forestry • Exchange study tour
	Local communities: <ul style="list-style-type: none"> • Local authority • Relevant department at provincial levels • Forest department 	

	Local communities and commune or district <ul style="list-style-type: none"> Provincial authority (relevant departments) Forestry department CARERE / IDRC 	
	<ul style="list-style-type: none"> Customary land use 	
	<ul style="list-style-type: none"> Krolah LUP (rule and regulation) Land right option for indigenous people in Ratanakiri 	<ul style="list-style-type: none"> Picture book for Krolah LUP (under implementation) Conduct training for Krolah LUP at community level
CONCERN Worldwide (Pursat, Kampong Chhnang projects)	<ol style="list-style-type: none"> CF statutes CF management plans PRA reports of villages (including participatory mapping) 	<ul style="list-style-type: none"> Share experiences of CF with other projects and government Train villagers on PRA methods and coaching to government staff in provinces DoE, FO, other NGO in the province, local authorities, local communities
ADB Forest Sector TA (MAFF, MoE, NGOs, Concessions)	<ul style="list-style-type: none"> Draft community forestry guidelines 	<ul style="list-style-type: none"> Workshops in Oct – Nov'99 and May'00
CF Research Project (DoFW, MoE, RUA, GTZ – IFSP, CIDSE, FAO)	<ul style="list-style-type: none"> Project outline on CF research project 	<ul style="list-style-type: none"> Ideas shared with CF network and working group
CBNRM CARERER Ratanakiri	<ul style="list-style-type: none"> Village/commune land use plan Village/commune user area maps Cultural resource study in forest concession NRM research report Case studies (livelihood system, a community RMP) (with Yeak Loam commune) CBNRM project Ratanakiri CF rules and regulation Workshop reports 	<ul style="list-style-type: none"> Maps CBNRM training Traditional land use training <p>Sharing with:</p> <ul style="list-style-type: none"> Provincial departments Local communities National IOs, NGOs, website
GIS of MoE: <ul style="list-style-type: none"> Mapping Environment data management 	<ul style="list-style-type: none"> MoE boundaries for protected areas in Cambodia (can share boundaries information on conflicts) Map of Peam Krasop Wildlife Sanctuary (PKWS) inlaid with LANDSAT'98 image 	<ul style="list-style-type: none"> Collaboration with department of forestry Training
CF Working Group	<ul style="list-style-type: none"> " Best practices" research in five provinces 	<ul style="list-style-type: none"> Between members of the CF working group With provincial offices or projects
CAMCOFTT	<ul style="list-style-type: none"> Develop training course curriculum 	<ul style="list-style-type: none"> Provide training and consultation to field workers
MoE/IDRC Koh Kong	<p>Research work on:</p> <ul style="list-style-type: none"> Markets Species surveys Fishing grounds Charcoal distribution Resources use patterns <p>(2 years technical report)</p>	<p>IDRC Koh Kong:</p> <ul style="list-style-type: none"> Planning and management in PKWS/environmental education/mangrove/aquaculture Informal training on issue of boundary/demarcation within MoE
	Case studies :	Community organising

	<ul style="list-style-type: none"> • CBCRM • Charcoal production • Water supply <p>(Some details on PLUP process)</p>	
	<p>IDRC Koh Kong together with DoFW / GTZ Mapping of PKWS:</p> <ul style="list-style-type: none"> • TOPAC • IRS 98 • LANDSAT 91/98 • Boundaries 	
GTZ – SMRP, DoFW GIS Unit	<ul style="list-style-type: none"> • Maps, GIS data and data documentation 	Maps and GIS data available for nominal fees
<p>GDCG, MLUC:</p> <ol style="list-style-type: none"> 1. Land Management Project (LMP) 2. Cambodia Cadastral Project (CCP) <p>Project areas: KDL, TKO, KTM Sihanouk ville and KPT</p>	<ul style="list-style-type: none"> • Sub-degree on organisation and functions of MLUC • Sub- decree on systematic land registration (03/2000) • Land law (under discussion) • Paper on land policy issues (coming up) 	<ul style="list-style-type: none"> • Co-operation and information sharing with GRET, PRASAC, NTFP, PDP, IFSP • Co-operation: GDCG with DoFW: demarcation and survey protected areas (Kbal Chhay)

ANNEX 6: Summary Information on PLUP/LA Approaches in Lao PDR and Vietnam

	Lao PDR	Vietnam
When did first activities in PLUP/LA start?	Around 1994	Around 1992
Who were the leaders in concept development and model building?	IO funded projects/sub-program (LSFP, FOMACOP, NAWACOP, NTFP)	Government programmes and several IO funded projects (SFDP, SIDA in Hoa Binh, FAO NFAP etc.)
Who was their partner on the national level?	DoF/MAF	MARD
Who were/are the teams conducting the field work?	Combined Provincial and District staff from forestry, agriculture and more recently (in some cases land titling staff (MoF), 5-15 people per team	FP together with DLA and PC on Provincial and District level for forest land, in many cases SFE also involved
Which are the coordinating committees for PLUP/LA?	National Steering Committee on LUP/LA, Prov. LUP/LA Com., District LUP/LA Com., Village LUP/LA Com.	PC of the Districts PC of the Communes
When was the present approach to PLUP/LA officially accepted as national procedure?	By MAF in July 1997	1994; numerous changes and modifications since no standard LUP/LA guidelines
Which are the essential documents to describe the procedure?	Manual on PLUP/LA, by LSFP 10/97 and technical booklets 1-5; Ministerial instructions on PLUP/LA + Guidelines	Decrees 12/CP, 34/CP and 64/CP Agr. Land (1994) Decree 02/CP For Land (1994) Briefing notes/field guides by MARD, DLA, FPD
Cost estimations of PLUP/LA per village (avg. 15km ²)	LSFP: 200-300 US\$ (1998) NAWACOP: 800 US\$ incl. aerial photos (1999)	SFDP: 172 US\$ (1996) without aerial photos
Time needs per village	11-23 days of field work	
Annual PLUP/LA implementation capacities	2-20 villages per District	
Main outputs	<ol style="list-style-type: none"> 1. Present land use map 2. Future land use map including unallocated land 3. Village forest and agricultural land management agreements 4. Temporary land use certificates for agr. land 	<p>In some cases:</p> <ol style="list-style-type: none"> 1. Present land use map 2. Future land use map 3. Land allocation map always: 4. Forest Protection Contracts 5. Land Use Certificates

Selected Examples of a PLUP/LA Process from Lao PDR and Vietnam

	NAWACOP/LAO PDR	National LUP/LA Program with support by LSFP/LAO PDR	Proposed Principles of LUP and Forest Land Allocation (FLA)	SFDP/Vietnam
Step 1	<p>Preparing Procedures</p> <ul style="list-style-type: none"> - Team building review of existing information on village, inform and invite, inform and invite neighbouring villages, equipment and aerial photos 	<p>Preparation for implementing LUP and LA activities</p> <ul style="list-style-type: none"> - Staff preparation (teams equipment, materials) - Villager preparation (invite neighbours, explain LUP process to village committee, explain GoL policies, regulations and objectives) 	<p>Collection of information and secondary data</p>	<p>Preparation</p> <ul style="list-style-type: none"> - establish a steering com. on district level - working group on commune level - compilation of basic information (PRA) and secondary data
Step 2	<p>First village meeting on PLUP/LA: Collection of present land use data</p> <ul style="list-style-type: none"> - Legal aspects (land law, forest law) and concept of PLUP/LA, demarcation of village boundary, village base map, present land use and tenure system, identification of existing rules and regulations on NR use, socio-economic data 	<p>Survey and mapping of village boundary and forest and agricultural land zones</p> <ul style="list-style-type: none"> - village boundaries and boundary agreement - Draw village base map - Survey village landmarks and topographic features to establish reference points - Identify present village forest and agricultural land use zones 	<p>Definition of the present land use situation</p>	<p>Village meeting for discussion and explanation of the land allocation process</p>
Step 3	<p>Second village meeting on PLUP/LA: Initiation of discussion about Future Land Use</p> <ul style="list-style-type: none"> - Present land use map, Creation of VLUP/LAC Committee, vision on future of village, explanation of land allocation process (temporary land certificates) 	<p>Data collection and analysis</p> <ul style="list-style-type: none"> - Information on village land tenure, land use and claims - Socio-economic conditions and villagers perceived problems/needs - Summaries and analyse village information and determine agricultural land allocation criteria 	<p>Assessment of the present land capability</p>	<p>Mapping of present land use and village/commune boundaries</p> <ul style="list-style-type: none"> - village resource maps, transects, 3-D modelling
Step 4	<p>Third village meeting on PLUP/LA: Future Land Use</p> <ul style="list-style-type: none"> - demarcation of additional land requirements, description of these areas, drafting of village regulations 	<p>Village land use planning and land allocation meeting</p> <ul style="list-style-type: none"> - On the basis of land use zoning map discuss land use management before allocating agricultural land - Verify land ownership, review land claims and allocate land in a village meeting 	<p>Preparation of the land use plan and proposed land use maps</p>	<p>Preparation of the land use plan during village meeting</p>
Step 5	<p>Discussion, survey and measurement of claimed land</p> <ul style="list-style-type: none"> - Future land use map, 	<p>Field measurement</p> <ul style="list-style-type: none"> - Measurement of fields and recording of information 	<p>Submission of the proposed land use</p>	<p>Allocation of land on the field</p>

	analysis of claimed land by each household together with VLUP/LAC, discussion with DLUP/LAC, survey and measurement of claimed land	concerning land use	plan to commune and district PC for approval	
Step 6	Preparation and hand over of temporary land transfer documents (certificates) - Printing of FLU map and distribution, temporary land certificates	Preparing agricultural and forestry agreements and transferring rights to villagers - Prepare temporary agricultural land transfer forms and contracts for each family - Confirm forest and agr. Land use zones using 1:10 000 village map - Prepare village forest and agricultural land management agreement - Summary with villagers	FLA according to the 1994 guidelines by the Ministry of Forestry	Administrative procedures for approval of LUP/LA results and issuing of LUC
Step 7	Extension work (agriculture, forestry)	Land use management extension - Extension work plan - Farmer and site selection for improved land use and conservation farming demonstrations	Issuance of red book land use certificates	
Step 8	Monitoring and evaluation (activities, compliance with VR, impact by VLUP/LAC with support by district staff)	Monitoring, Control and Evaluation - Prepare monitoring and evaluation procedures and field tests - Conduct field monitoring and report on results		

Land Use Classification System for the Districts of Paek and Phoukoud/Province of Xieng Khouang

	Tenure System						
	1. National (State)	2. Province	3. District	4. Community	5. Group	6. Household	7. Private or State Investor
1. Land Use							
A. Forests (1)							
1. Protection Forest (Prot. Area)	PA1-1101	PA2-1102	PA3-1103	PA4-1104	PA5-1105	-	-
a) Sacred spiritual or Wat Forest	PA1a-1111	PA2a-1112	PA3a-1113	PA4a-1114	PA5a-1205	PA6a-1206	-
b) Graveyard Forest	PA1b-1121	PA2b-1122	PA3b-1123	PA4b-1124	PA5b-1305	-	-
c) Watershed protect Forest	PA1c-1131	PA2c-1132	PA3c-1133	PA4c-1134	PA5c-1315	-	-
2. Conservation Forest (Prot. Area)	CF1-1201	CF2-1202	CF3-1203	CF4-1204	-	-	-
3. Production Forest	PR1-1301	PR2-1302	PR3-1303	PR4-1304	PR5-1305	PR6-1306	PR7-1307
a) Firewood + Fenceposts	-	-	PR3a-1313	PR4a-1314	PR5a-1315	PR6a-1316	-
b) Construction Wood	-	-	PR3b-1323	PR4b-1324	PR5b-1325	PR6b-1326	-
c) Bamboo	-	-	PR3c-1333	PR4c-1334	PR5c-1335	PR6c-1336	-
4. Plantation Forest	PL1-1401	PL2-1402	PL3-1403	PL4-1404	PL5-1405	PL6-1406	PL7-1407
5. Degraded Forest/Wasteland	DE1-1501	DE2-1502	DE3-1503	DE4-1504	DE5-1505	DE6-1506	-
6. Agro-Forest	-	-	-	-	AF5-1605	AF6-1606	-
7. Regeneration Forest/Area of Hai	-	-	-	-	RF5-1705	RF6-1706	-
B. Rangeland (2)							
1. Grassland, Pasture	-	-	-	RA4-2104	RA5-2105	RA6-2106	RA7-2107
2. Grass-Bushland, Savanna	-	-	-	GB4-2204	GB5-2205	-	-
3. Silvi-Pasture	-	-	-	SP4-2304	SP5-2305	-	-
C. Permanent Agriculture (3)							
1. Irrigated Paddy	-	-	-	-	-	IP6-3106	-
2. Rainfed Paddy	-	-	-	-	-	RP6-3206	-
3. Upland Crops	-	-	-	UC4-3304	UC5-3305	UC6-3306	UC7-3307
a) annual crops	-	-	-	UC4a-3404	UC5a-3315	UC6a-3316	UC7a-3317
b) perennial crops	-	-	-	-	UC5b-3325	UC6b-3326	UC7b-3327
4. Gardens	-	-	-	-	GA5-3405	GA6-3406	-
5. Orchards	-	-	-	-	OR5-3305	OR6-3506	OR7-3507
D. SWIDDEN AGRICULTURE (4)							
1. Cultivated Swidden (in	-	-	-	-	FS5-4105	FS6-4106	-

Forests)							
2.Cultivated Swidden (in Grassland)	-	-	-	-	GS5-4205	GS6-4206	-
3. Fallow Swidden	-	-	-	-	FA5-4305	FA6-4306	-
E. MISCELLANEOUS (5)							
1. Swamp	-	-	-	SW4-5104	SW5-5105	SW6-5106	

Additional information to be represented on the Land Use Plans:

E. SETTLEMENT AREA (6)

SA

F OPEN WATER

- | | | |
|--------------------|---------------------|----------------------|
| 1. River, Streams | blue lines | name of river/stream |
| 2. Seasonal Rivers | dotted blue line | " |
| 3. Ponds/Fishponds | blue circles/crosse | PO |
| 4. Lakes | blue circles | name of lake |

G. ROADS, TRACKS

- | | |
|-------------------------------|--------------------------|
| 1. Major Roads | thick black lines and No |
| 2. Feeder Road | black lines |
| 3. Tracks (only 4x4 vehicles) | thin clack lines |
| 4. Paths, Trails | dotted lines |

H. COMMUNITY BOUNDARY

red line (dotted in case of uncertainty)

I. LANDMARKS

Names of mountains, stones, tress ect.

On the Land Use Plan all units have to be clearly marked with the respective code and a specific number e.g.:

FS6-1 41060001
 FS6-2 41060002
 FS6-3 41060003 etc

all computerized codes will have at least 4 figures:

- 1: main class (forest, range land)
- 2: subclass (protected forest, plantation forest ect)
- 3: subclass-use (firewood, bamboo ect)
- 4: tenure system
- 5: additional codes (NC/FUT etc) - if applicable

i.e.:13141 means: forest, production forest, firewood, community, future
 0 means: not differentiated

all swidden agriculture areas have a running number starting with 001 up to 999 according to the database

i.e.: 41066004 means: swidden, cultivated swidden, household, abandoned, running number 004

Abbreviations Specific information to be included on the Land Use Plans:

Reserved land for future

allocation (1)	FUT
Military Area / Police (2)	MIL

Other State Institution (3)	STA
Mining operations (4)	MIN
Unexploded Ordinances (5)	UXO
Abandoned land (6)	ABA
Land User from neighbouring community (7)	e.g. IP6 (NC)
Absent User / Owner (8)	e.g. IP6 (AO)
Rice nurseries (9)	NUR

ANNEX 7: COMMUNITY FORESTRY: Strategy & Guidelines

CF is an important strategy for sustainable forest management in different contexts:

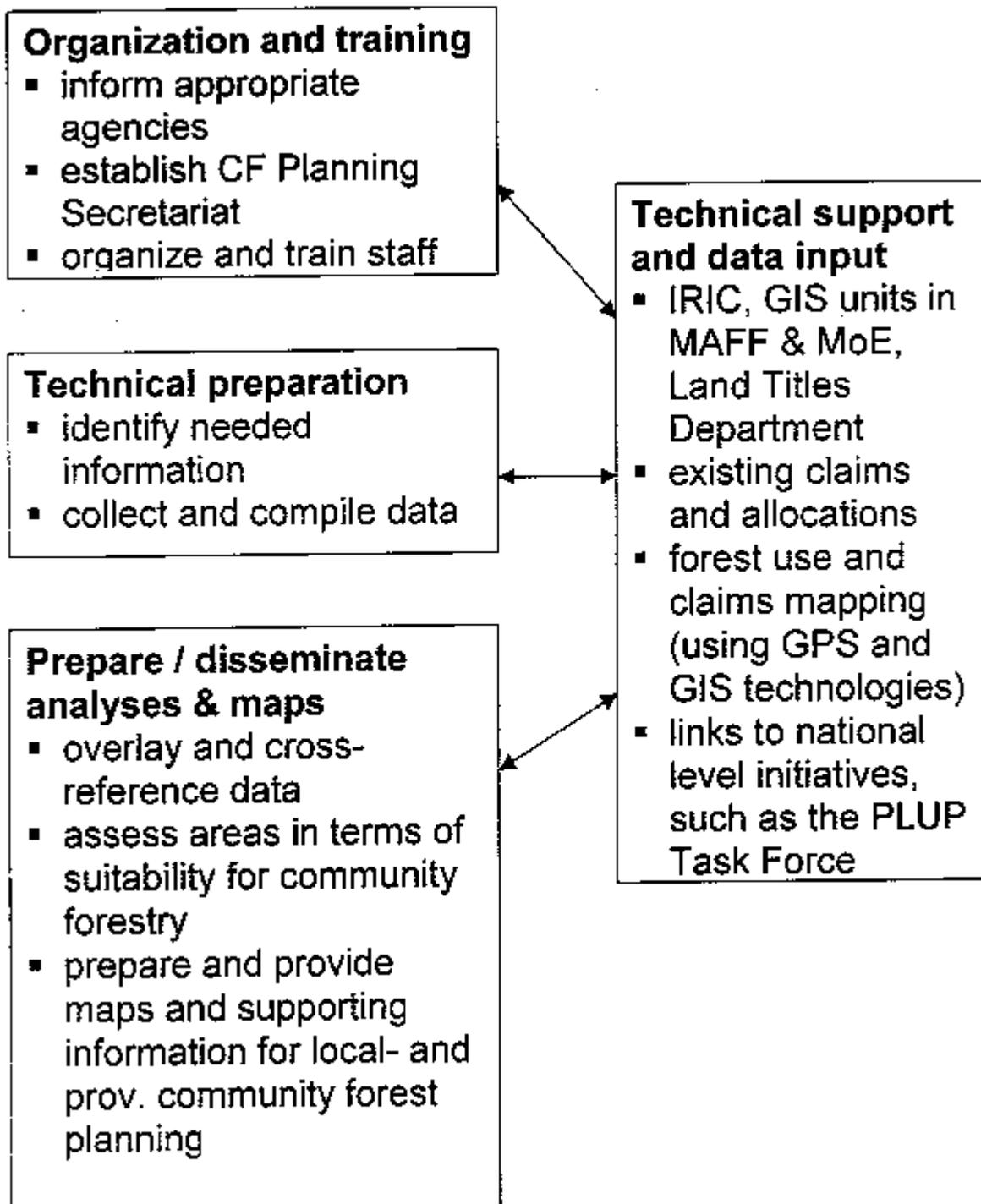
- non-concession forests (3-5 mil ha)
- concession forests (~20 areas; 4+ mil ha)
- protected areas (23 areas; 3+ mil ha)
- flooded forests & mangroves
- non-forest areas

CF is a people-oriented development strategy, aimed at improving the livelihood security of local people through improving their access to and share in forest benefits

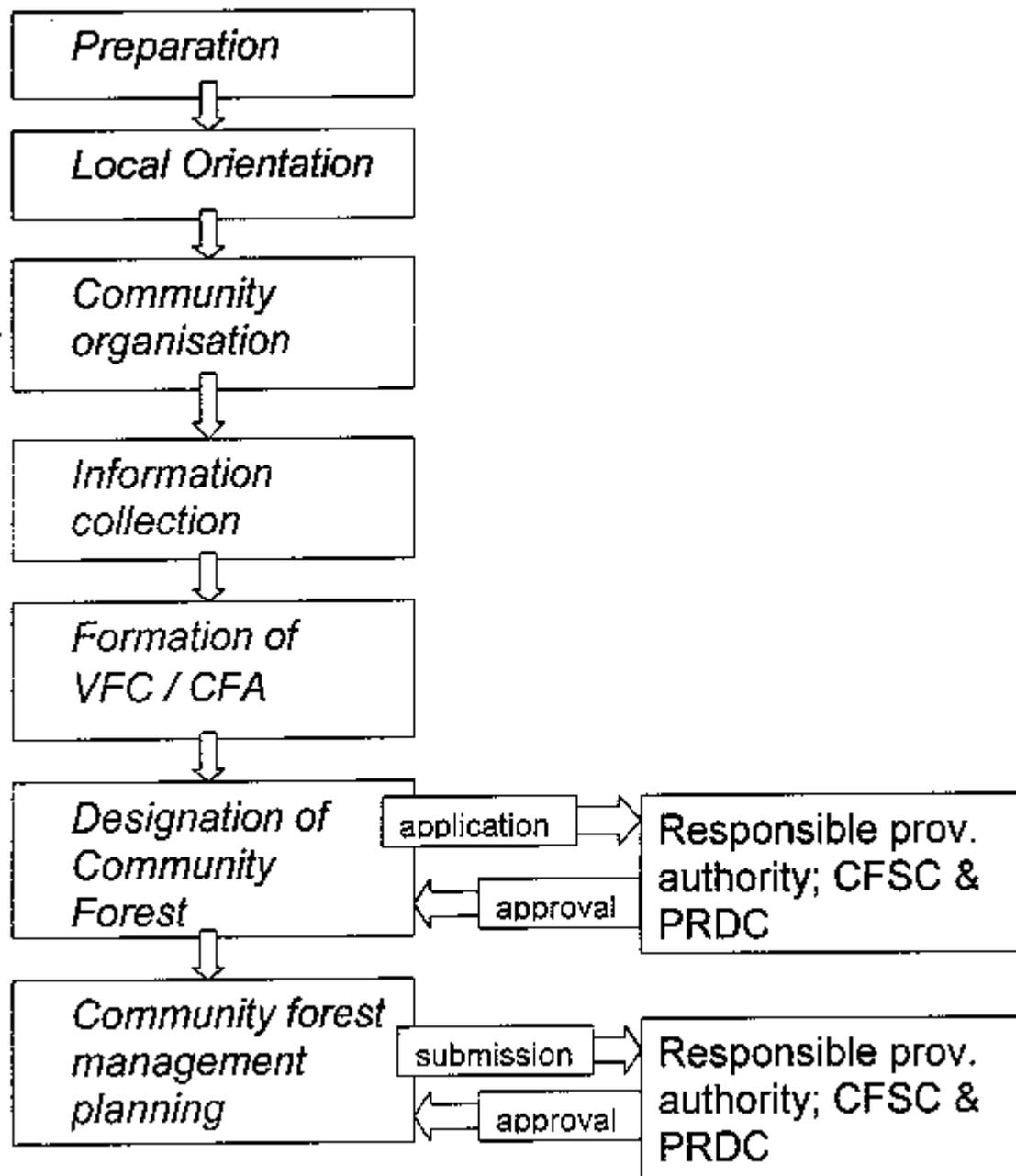
CF requires effective planning at local, provincial, and national levels

- local level is the most critical
- integration into the RGC provincial development framework (SEILA)

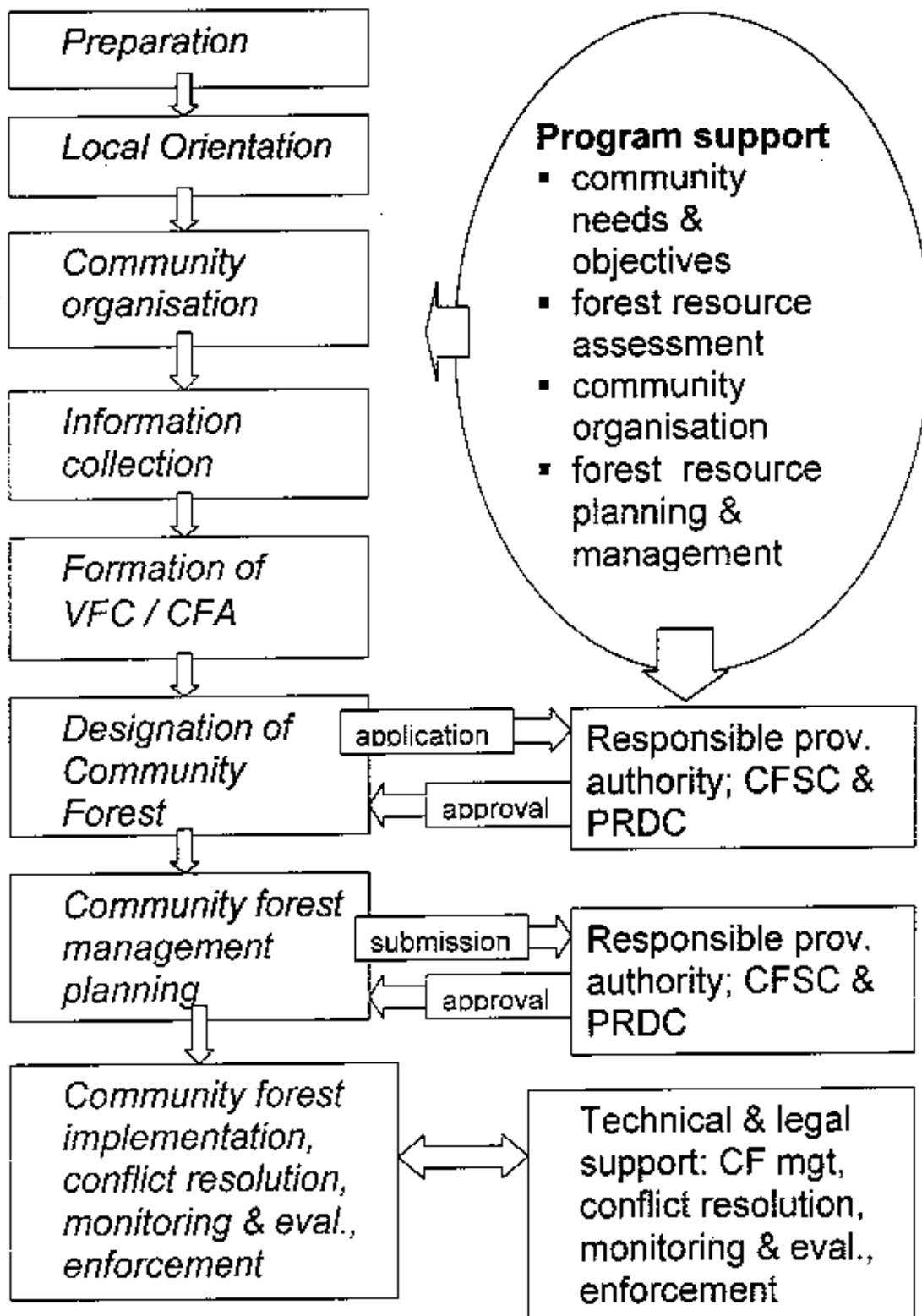
Community forestry: Provincial planning

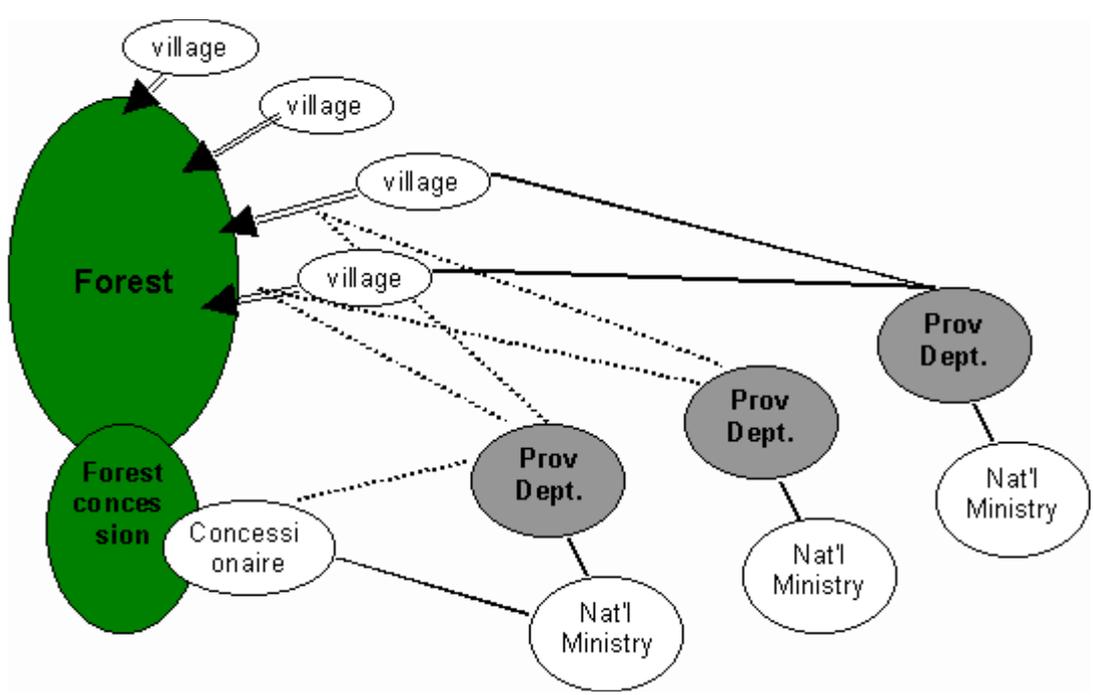
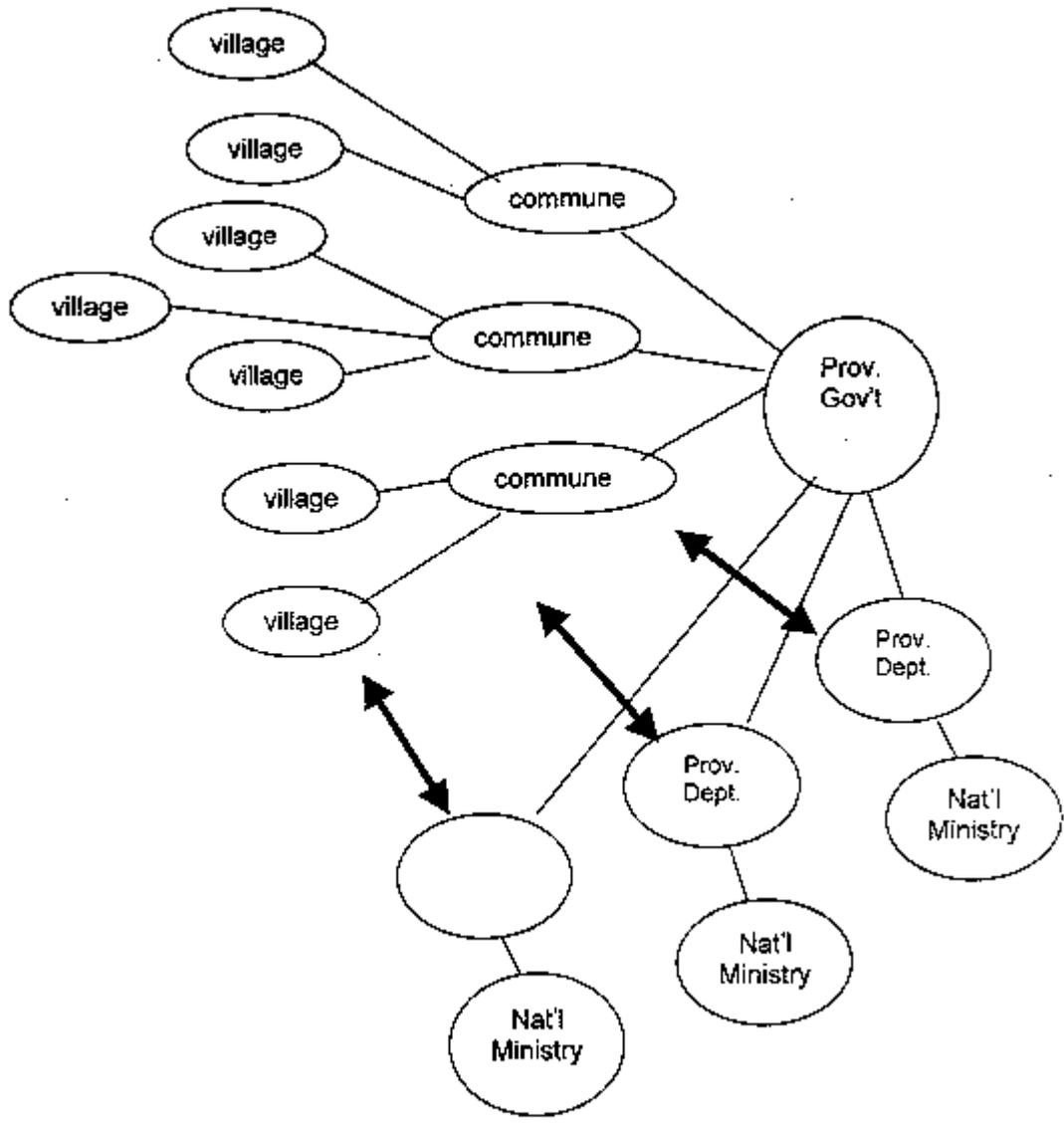


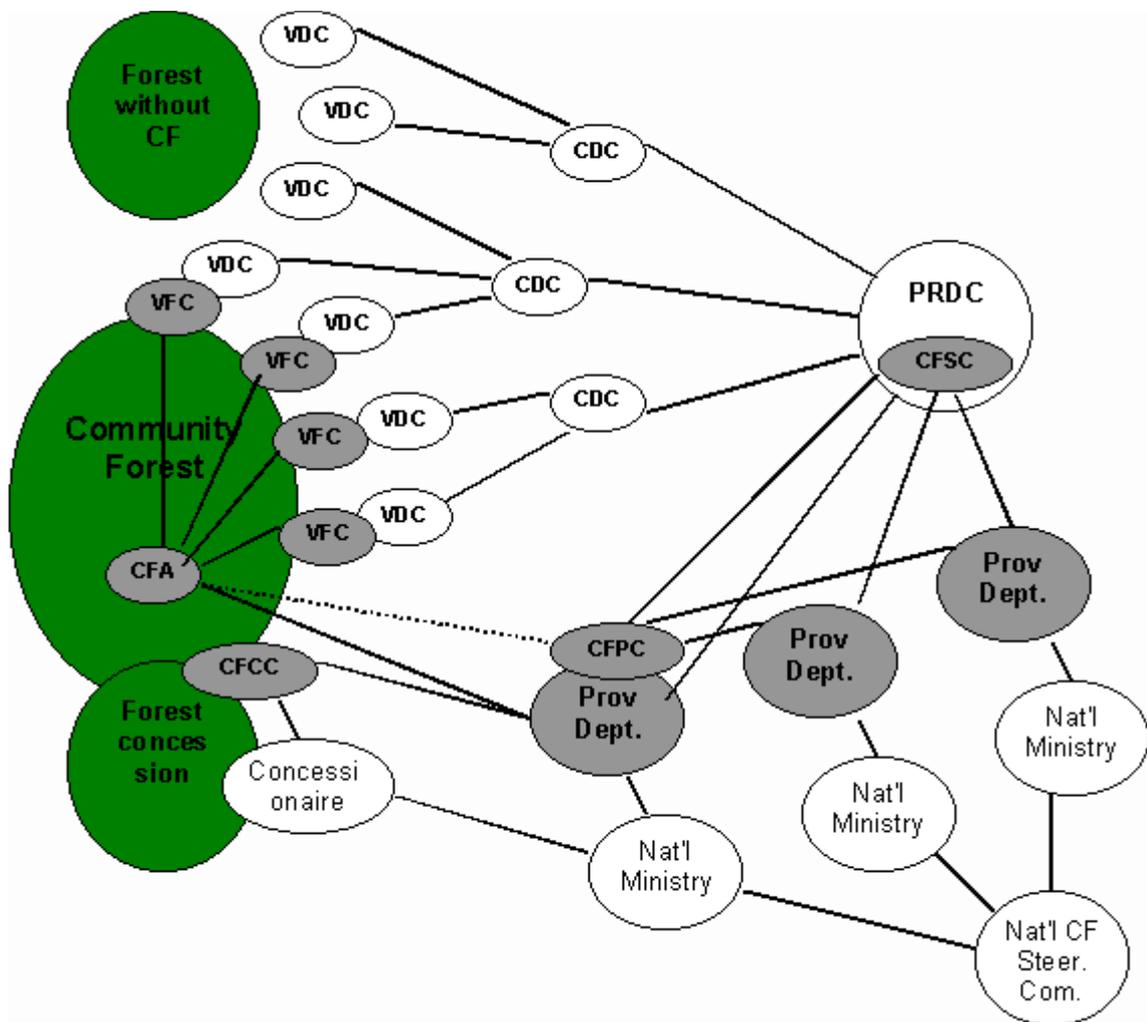
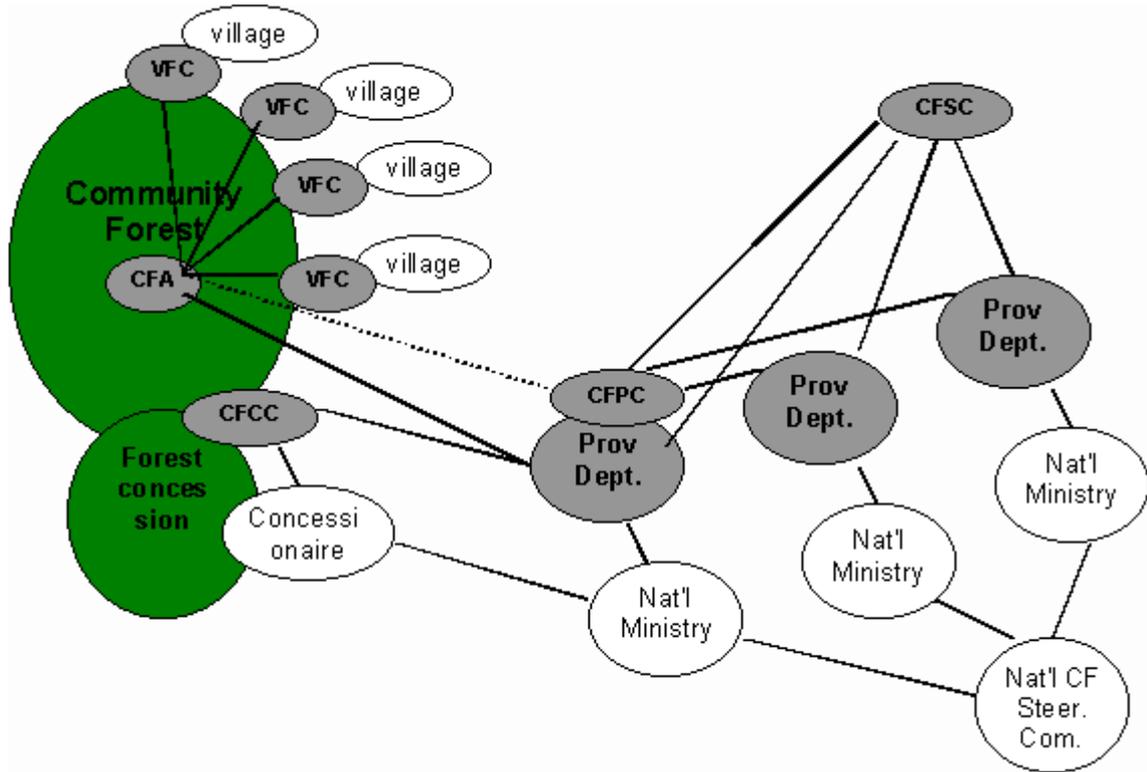
Community forestry: local-level planning



Community forestry: local-level planning







ANNEX 8: Main Contents of the PLUP Guidelines

TOPICS	DETAILS
Agenda	<ul style="list-style-type: none"> • Purpose: who is addressed, what people should do with it • Vision • Goal • Mission • Strategy • Conceptual framework (integrated NRM) • Justification for the " Participatory " in PLUP, i.e. extension of this basic principle • Environmental and social consequences of <u>not</u> using LUP and especially PLUP
What land, what natural resources	<ul style="list-style-type: none"> • The land, which is being dealt with: forest, fishery, agriculture, grass • Define clearly what areas included in PLUP (private, communal land etc.)
Inventory and needs assessment	<ul style="list-style-type: none"> • Identify all important natural resources of the area • Traditional land use management systems existing in Cambodia • Resource assessment (forest inventory, agricultural potential, water etc...) • How to assess the demand of villagers for products from forests, agriculture and fish ... • How to make PLUP a sustainable approach; Supply and demand from natural resources • Data analysis / synthesis
Stakeholders	<ul style="list-style-type: none"> • Definition of stakeholders • Actors: stakeholders and organisations involved
Village Organisations / Commune Councils	<ul style="list-style-type: none"> • Integrated committee • Existing organisational structure consideration
Methodology	<ul style="list-style-type: none"> • Methods (field) • "How to" manual, i.e. specific steps / practical details for use in the field • What surveying alternatives exist and how can they be used • Zoning according to type of land, natural resources which related to usage (survey) • Tools, technical aspects: necessary data, info and supportive aids like maps • What mapping alternatives exist and how can they be used? • Mapping boundaries / areas techniques • Mapping / land demarcation • References / Directions to technical resources
Procedure / Steps <ul style="list-style-type: none"> • What to do • Expected outcome 	Ownership of: <ul style="list-style-type: none"> • Data, info • Process • Outcome
Village Regulation / Agreements	<ul style="list-style-type: none"> • Make rule / regulations for land and forest use for each zone • Agreement on village / commune boundary between neighbouring and local authority • Mechanism for conflict resolution • How to secure the legal status for each type of resource: private, public, water, forestry, fisheries
M + E	<ul style="list-style-type: none"> • Effects / impacts • Case study of PLUP: in Cambodia and elsewhere in SE Asia
Legal Aspects	<ul style="list-style-type: none"> • Laws / regulations identification • Suggested legal framework for support of PLUP • Identify all existing laws / regulations • Integrated laws • Authorisation • Summary briefly of existing legislation that could be used to support

	<ul style="list-style-type: none"> aspects of PLUP • Law must be integrated: fishery law, protected area law, forestry law, urbanisation law
Institutional Aspects	<ul style="list-style-type: none"> • Institutional responsibilities • Collaboration of different institutions in supporting PLUP • Collaboration • Suggested framework for sectorial integration at village or commune level • Collaboration working • The role of provincial government
HRD	<ul style="list-style-type: none"> • Skills needed and sources
Land Allocation	<ul style="list-style-type: none"> • Classification the allocation • To provide land allocation clearly, for example: land for agriculture and land for forest ... • Local benefits

ANNEX 9

KINGDOM OF CAMODIA

The Ministry of Land Management
Urban Planning and Construction
The General Department of
Cadaste and Geography

REPUBLIC OF FINLAND

The Ministry for Foreign
Affairs, The Department of
International Development
Cooperation

CAMBODIA CADASTRAL PROJECT

SUB DECREE ON THE PROCEDURE OF ESTABLISHING CADASTRAL INDEX MAP AND LAND REGISTER

22.3.2000

Introduction

At the 11 of February 2000, The Council of Ministers of the Kingdom of Cambodia adopted the Sub Decree (No. 11 ANKR.BK, 22-3.2000) on the Procedure of Establishing Cadastral Index Map and Land Register Oater the Sub Decree). This Sub Decree, which was signed at 22 of March 2000, has its purpose on governing the systematic first registration in Cambodia. The aim of this paper is to present the procedure in general level as well as English translation of the Sub Decree (Annex IV)

The Procedure of First Registration

The procedure of systematic first registration supported by the Sub Decree consists of the following stages (see Annex III).

The first stage is *the preparation of procedure*, which includes declaration of the adjudication area,

appointment of the Administrative Commission and adjudication team as well as a public information program including an opening meeting. From the legal point of view, key persons of the adjudication team are the Field Manager and Demarcation, Survey and Adjudication Officers. The purpose of the opening meeting is to inform the landowners about the procedure and what is required from them.

The second stage of the procedure is the *field work* which is done under the supervision of the Field Manager by the field team consisting of the Demarcation Officers and Adjudication Officers assisted by field assistants. The idea is that the adjudication is done simultaneously with the demarcation. This is to ensure that the landowners are bothered only once and that official visits per parcel are limited to one in order to minimize the cost of registration. The Adjudication Officer together with the Demarcation Officer literally goes to the parcel on the agreed date. After the boundary lines have been demarcated, the Demarcation Officer may proceed to the next parcel and the Adjudication Officer fills out the parcel form together with the landowner who approves the form together with the neighbors. The cadastral index map, which shows the demarcated boundaries of parcels is prepared by the Survey Officer from the basis of the demarcation.

Both, demarcation and adjudication are done on the voluntary basis. However, if there is a dispute on the boundaries or on ownership, the officers have a right to decide the matter the way they consider just, from the basis of all available evidence. Anybody who disagrees with the decision has a chance of disputing during the public display period, when the Court will make the final decision.

The parcel forms, together with the cadastral index map and the list of owners, form the adjudication record, which is the output of the whole procedure. The next stage of the procedure is *the public display of the adjudication record*, which will take place in the adjudication area. During the public display period it is possible to make an objection against the record or part of it to the Administrative Commission. The Commission shall try to resolve any disputes, and if this is not possible, send the dispute to be decided by the Court. During the display period, it is also possible to correct an error or omission in the record as well as to make other alteration accepted by the persons whose interests are affected.

The next stage of the procedure is the confirmation of the adjudication record, which literally means that the Administrative Commission officially completes the procedure as far as undisputed parcels are concerned, by signing the record. After the confirmation, and completion of the settlement procedure, the record shall be delivered to the Local Office of Land Management Urban Planning, Construction and Cadastre for inspection of technical clarity and signing and after that to the Provincial/Municipal Governor to be signed. However, adjudication record is not final until also the Ministry of Land Management Urban Planning and Construction has signed it. The adjudication record will be legally valid after expiration of the appeal period, except disputed parcels. The record concerning disputed parcels will be valid after the Court's decision.

As already mentioned, the output of the systematic adjudication is the adjudication record, which includes all necessary information on physical appearance and legal relations of every parcel in the adjudication area. After the validity of record, this information will be entered in the registers of immovable property. After this, the owners will get the certificates proving their title on registered parcels.

Roles of the Parties Concerned

According to the Sub Decree, during the procedure:

The Ministry of land Management, Urban Planning and Construction:

- instructs the local offices,
- appoints the officers in charge of the procedure,
- gives directions to the Field Manager about conducting the procedure,
- signs the adjudication record and
- delivers certificates to owners and possessors of land in the adjudication area;

The Provincial/Municipal Governor:

- declares the adjudication area,
- appoints the Administrative Commission,
- sends a letter to regional and local authorities describing and authorizing the procedure,
- informs about the opening meeting of the procedure and
- signs the adjudication record,

The Provincial/Municipal Office of Land Management, Urban Planning, Construction and Cadastre:

- gives detailed orders on the form and the content of cadastral index map,
- inspects technical clarity of the adjudication record,
- signs the adjudication record and
- receives for registration the documents collected during the procedure;

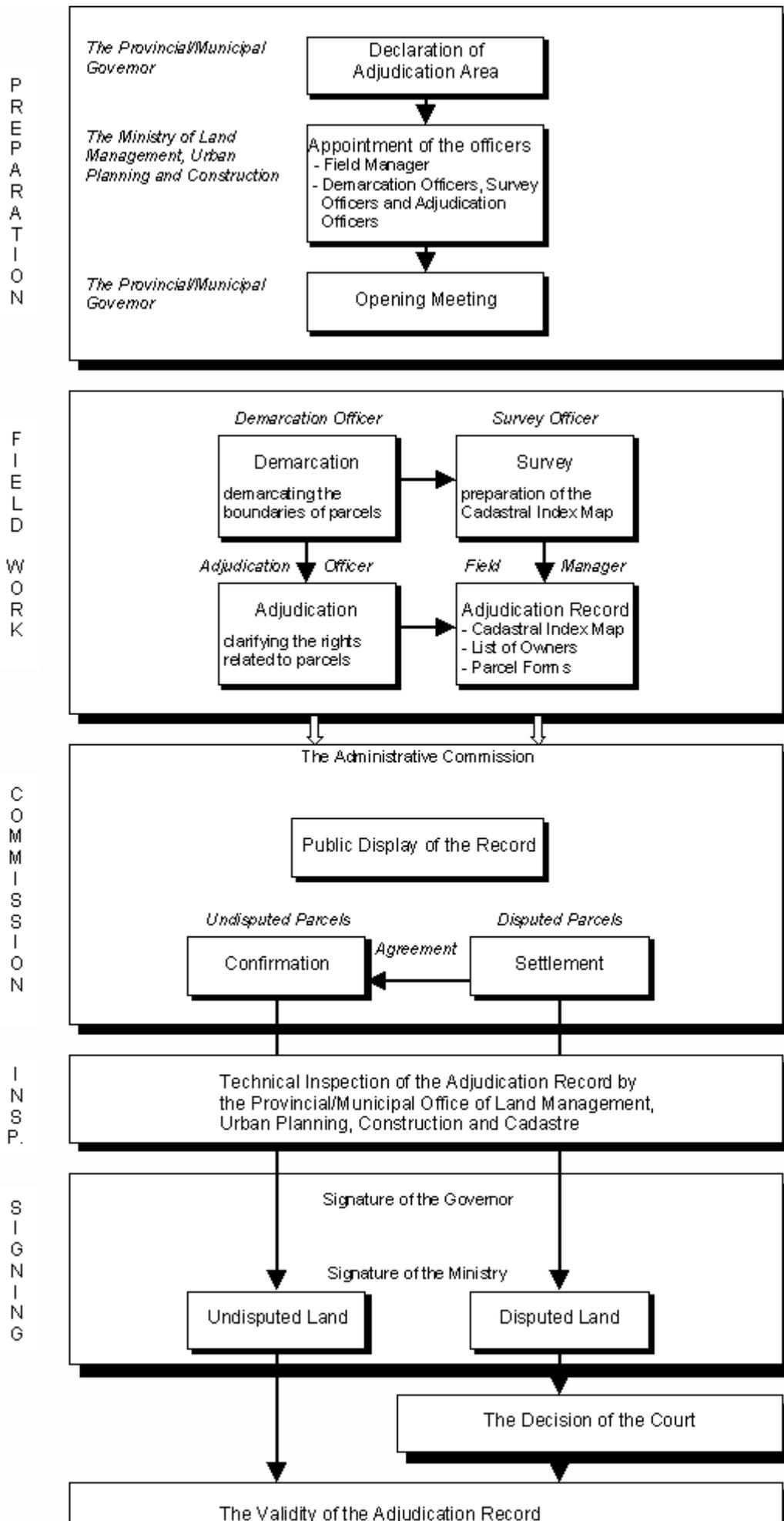
The Administrative Commission:

- arranges the public display of the adjudication record,
- receives objections against the adjudication record,
- tries to settle disputes and
- confirms the adjudication record,

Landowners and Landholders:

- take part in the procedure concerning their parcel by providing necessary information for demarcation, surveying and adjudication and
- have right to investigated and make objections against the adjudication record

**PROCEDURE ON ESTABLISHING THE CADASTRAL INDEX MAP AND LAND REGISTRE
(SYSTEMATIC ADJUDICATION)**



KINGDOM OF CAMBODIA
Nation Religion Royal

ROYAL GOVERNMENT
No: 11 ANKR/BK

SUB DECREE
ON
THE PROCEDURE OF ESTABLISHING CADASTRAL INDEX MAP AND
LAND REGISTER

THE ROYAL GOVERNMENT

- Having seen the Constitution of the Kingdom of Cambodia.
- Having seen the Royal Kram No NS/RKM/1198/722, dated 30 November 1999, on the Formation of the Royal Government
- Having seen the Royal Kram No 02/NS/94, dated 20 July 1994, promulgated the Law on the Organization and Functioning of the Council of Ministers.
- Having seen the Decree No 100 KR, dated 13 October 1992, promulgated the Land Law.
- Having seen the Royal Kram No 04/NS/94, dated 10 August 1994, promulgated the Law on Land Management, Urban Planning and Construction.
- Having seen the Royal Kram No NS/RKS/0699/09, dated 23 June 1999, promulgated the Law on Creation of Ministry of Land Management, Urban Planning and Construction.
- Having seen the Sub-Decree No 20 ANKR/BK, dated 30 April 1996, on the Organizing and Functioning of Ministries and Secretariat of State.
- Having seen the Sub-Decree No 62 ANKR/BK, dated 20 July 1999, on the Organization and Functioning of Ministry of Land Management, Urban Planning and Construction.
- According to the Agreement of the plenary cabinet meeting on 11 February 2000.

DECIDES:

Chapter I General Prescription

Article 1.

This Sub Decree shall be applied to the procedure of establishing cadastral index map and land register through the systematic adjudication in areas declared as an adjudication area under article 2 of this Sub Decree.

Article 2.

The Ministry of Land Management, Urban Planning and Construction (LMUPC) shall determine and instruct the Provincial/Municipal Office of Land Management, Urban Planning, Construction and Cadastre on technique and formality of the establishment of the cadastral index map and land register.

Provincial/Municipal Governor shall declare an area as an adjudication area. Any decision made under this article shall define the location and the limits of adjudication area either by means of a map or by a description, or by both.

Chapter 2 Competence and Duties

Article 3.

When an area is declared as the adjudication area, the Provincial Governor in the adjudication area shall appoint the Administrative Commission for the adjudication area.

The Administrative Commission shall consist of:

- The representative of Provincial/Municipal Governor chairman
- The Field Manager as Cadastral Officer member
- The District Governor or his representative member
- The Chief of Commune or his representative member
- The Chief of Village or his representative member
- Two trustees (elders) of local people member

The duties of the Administrative Commission are to:

- Arrange the public display of the cadastral index map and the list of owners
- Receive objections against the record, investigate and try to settle
- Make a conclusion on the adjudication record
- Make a proposal for providing the right on land to the occupants and owners or keeping the land as the state property.

Article 4.

When the area is declared as an adjudication area, the Ministry of LMUPC shall appoint a Field Manager for the adjudication area and as many Demarcation Officers, Adjudication Officers and Survey Officers as necessary for performing the duties in the adjudication area.

The Field Manager shall, subject to the directions of the Ministry of LMUPC, be responsible for adjudication under this Sub Decree. The Field Manager may lead, and issue necessary directions to, other officers appointed under the Article 4 Section I of this Sub Decree.

The Demarcation Officer has a right to enter any immovable property within the adjudication area for the purpose of demarcation and surveying and may summon persons concerned to give oral testimony or to submit documents or any other evidence regarding the boundaries of any parcels. The Demarcation Officer may exercise all other powers given to the Cadastral Measurer in the Land Law.

The Adjudication Officer has a right to make any inquiries necessary for carrying out the adjudication, to summon persons concerned to give oral testimony or to submit documents or any other evidence related to the adjudication.

Article 5.

In the adjudication area, every person has an obligation to participate and co-operate in demarcation and adjudication by giving oral testimonies, submit documents, any other evidence and information as specified by the officers appointed under this Sub Decree in order to carry out demarcation, surveying and adjudication.

Every person is entitled to investigate and comment the adjudication record during the public display and ask officers to explain the content of all data related to the adjudication area.

Article 6.

The Provincial/Municipal Governor shall send an official letter describing and authorizing the systematic adjudication procedure to regional and local authorities of the adjudication area at least 15 days before the opening meeting.

The Provincial/Municipal Governor shall publicly inform about the time and venue of opening meeting. The announcement will be placed for the public to see at least 7 days before the opening meeting in a prominent place in the village or in the adjudication area in question. The announcement must be, in co-operation with local authorities, spread widely and effectively in the adjudication area.

At the public opening meeting of the systematic adjudication, which shall be held in the adjudication area, the Field Manager or the representative of the Administrative Commission shall explain the procedure, clarify legal matters and answer any raising question related to the adjudication.

Additional meetings for village level shall be arranged if the Field Manager or the local authorities consider this necessary.

Article 7.

The Demarcation Officer shall inform local leaders and give a notice of demarcation in the adjudication area and of the time and place at which it will begin not less than 7 days before. Notice shall require every interested person to indicate boundaries of his immovable property in the manner specified in the notice.

The Demarcation Officer shall, subject to directions issued by the Field Manager, demarcate all pieces of immovable property, which should appear as a parcel in the cadastral index map. The Demarcation Officer shall obey the following rules during demarcation of parcel boundaries:

(a) If the owners or holders of that particular parcel and adjacent parcels are present and agree with the boundaries, the boundaries shall be demarcated in accordance with reached agreement.

(b) If an agreement prescribed under subsection (a) of this article, cannot be reached, or not all owners or holders of particular and adjacent parcels are present, the boundaries shall be demarcated on the grounds of all available documents and other physical, written and oral evidence related to the boundaries.

(c) The boundaries of parcels with adjacent public land and publicly held parcels shall be demarcated in accordance with subsections (a) and (b) of Article 7 Section 2 of this sub-decree.

Article 8.

The Survey Officer shall, subject to directions issued by the Field Manager, carry out survey work as may be required in the execution of adjudication procedure and prepare the cadastral index map including demarcated parcel boundaries.

The Provincial/Municipal Office of Land Management Urban Planning, Construction and Cadastre shall give detailed orders on the form and the content of cadastral index map.

Chapter 3 Adjudication Procedure

Article 9.

The Adjudication Officer shall, subject to directions issued by the Field Manager, investigate all available documents, evidence and other written and oral information concerning the rights related to each parcel in the adjudication area and record these rights to parcel form.

Article 10.

Preparation of the Adjudication Record means:

1. The adjudication record shall consist of the cadastral index map, the list of owners and parcel forms. Each parcel form shall show:

- a. the identification of parcel;
- b. the identification of owner and
- c. the date of adjudication.

2. The parcel form shall be approved (thumb printed) by the owner and adjoining owner and signed by the Adjudication Officer.

3. When the adjudication record is completed the Field Manager shall sign the record.

Article 11.

A public display of adjudication record, including the cadastral index map and the list of owners, shall take place for 30 days in a prominent and relevant place for public investigation in the village or area where the adjudication area is located.

The provincial/municipal authority shall publish a notice of the public display according to the request of the Administrative Commission.

During the period of public display, the Field Manager may correct any error or omission, which doesn't affect to lawful interests of any person. Any other alteration in the adjudication record may be done only with the consent of persons whose interests are affected by the alteration.

Article 12.

During the period of public display any person named or claiming an interest in any parcel referred to in the adjudication record, who considers the adjudication record to be inaccurate or incomplete, may inform the Administrative Commission of his objection.

The Administrative Commission after giving reasonable notice to all parties concerned by the objection, and consulting parties making objections, shall try to reach settlement.

Any objection or dispute, which cannot be settled, shall be delivered to the Court. Consequently, the Administrative Commission shall follow the final decision of the court.

Article 13.

After the expiry of the public display period, and completion of the dispute settlement procedure under article 12 of this Sub Decree, the Administrative Commission shall confirm the adjudication record in respect of such parcels, which are not subject of disputes.

After the confirmation, the Administrative Commission shall deliver the adjudication record to the Provincial/Municipal Office of Land Management, Urban Planning, Construction and Cadastre for inspection of technical clarity and signing and shall then deliver the adjudication record to the Provincial/Municipal Governor to be signed.

Article 14.

After the signature of Provincial/Municipal Governor and the Ministry of LMUPC, the adjudication record shall be final in respect of such parcels, which are not subject of disputes. Rest of the adjudication record shall be final after the decision of the Court given under article 12 of this Sub Decree.

When the adjudication record is final according to section one of this article, the adjudication record, together with all documents received during the procedure of systematic adjudication, shall be delivered to the Provincial/Municipal Office of Land Management Urban Planning, Construction and Cadastre to be entered in registers.

After the parcel included in the adjudication record is registered, the Ministry of LMUPC shall deliver Certificate of Ownership or the Certificate of Possession for all parcels in the adjudication area. The Ministry of LMUPC may give the right to issue certificates specified in this article to qualified and technically sufficient Municipal/Provincial authority.

Chapter 4 Final Prescription

Article 15.

This Sub Decree shall also be applied to systematic adjudication processes started before this Sub Decree entered into force.

Article 16.

All regulations that contradict with this Sub Decree are hereby cancelled.

Article 17.

The Minister in charge of the Council of Ministers, Minister of Ministry of Interior, Minister of the Ministry of LMUPC, relevant Ministers and State Secretaries and the Provincial/Municipal Governor are in charge of implementation of this Sub Decree as their duty after the date of signing.

Phnom Penh, 22 March, 2000

Prime Minister

signature

Hun Sen

Submitted to Samdech Prime Minister

Minister for Land Management
Urban Planning and Construction

signature

Im Chhun Lim

CC:

- Cabinet of the Royal Palace
- General Secretary of Senator
- General Secretary of National Assembly
- Cabinet of Samdech Prime Minister
- All Ministries and Central Institutions
- All Provincial and Municipal Authorities
- As Article 17
- Archives.

ANNEX 10: Commitments on Contributions to the next meeting in June 2000

	Project / Institution Focal person	Contributions (based on existing documentation or news documents)	Until when?	Support needs
Introduction	SMRP <u>Hans Helmrich</u>	+/- 5 pages introductory remarks	06/00	Doug Henderson Melissa Marschke
Legal Aspects	LMP Lor Davuth	Land policy paper Prof. M. Kirk	06/00	
	OXFAM S. Williams, <u>Elizabeth Weight</u> To make contacts			Invite to next meeting
	CONCERN Elizabeth Weight	Study on existing drafts legal documents	06/00	Melissa, IDRC Koh Kong
Institutional Aspects	FAO Prak Marina	New document	06/00	
	GTZ CGFP	Workshop proceedings, including case study	06/00	
	<u>Doug Henderson</u>	CF guidelines	06/00	
HRD	CAMCOFTT Lun Kimhy		06/00	
Methodology	FAO Etienne Delatre		06/00	GIS DoFW CARERE IDRC Koh Kong
Procedures / Steps	SMRP Hans Helmrich		06/00	Doug Henderson FAO - Kim Sovann CARERE – Nhem Sovanna
What Land, What Natural Resources	CARERE Graeme Brown		06/00	All field sites
Inventory and needs assessment	FAO Renaud Bailleux		06/00	All field sites
Village Organisations / Commune Council	CARERE CBRNM Nhem Sovanna		06/00	All field sites
Village Regulations / Agreements	NTFP Chea Phalla		06/00	All field sites FAO

Stakeholder	SMRP Hans Helmrich	Existing proceedings	06/00	
M + E	GTZ CGFP Juergen Fichtenau	Existing M+E on LUP / NRM from the region	06/00	
	IDRC Melissa Marschke	M+E tools	06/00	CARERE Nhem Sovanna

ANNEX 11: Memory board

for issues of special interest or specific problems concerning CF/PLUP in your project or institution

General issues:

Land tenure

Development of Forestry extension system

Steering Committee or other committees at provincial level: for CF or CBNRM

Practical mechanisms to implement the CF guidelines, which provide 1st hand information to the National Government

Community fishery resources versus fishing lots

Community forest areas inside fishing domain

Community forest areas bordering or inside concession areas and overlaps between the two

Provincial level PLUP staff is waiting for national PLUP procedures

Should provincial projects wait for national guidance?

Official recognition/legalisation of commune or village land use plans

Basic mapping tools

Already existing, allocated land rights (e.g. protected areas, concessions, indigenous land)

Clarity is required on existing reservations for roads, forestry concessions, fishing lots etc.

Question: what is legal? Should information be shared on the national level?

The national level line departments do not necessarily prefer to provide transparency and detailed information

Specific problems:

Detrimental Sugar Palm Production

Monoculture on swidden land

Some commune leaders have illegally issued land receipts (simple paper)

Group Discussion I, 30.06.00

Topics:

Legal Aspects	<p>The chapter should include a statement on:</p> <p>The laws/sub-decrees in various drafting stages, like the Forest Law, the Land Law, the Fishery Law and the CF sub-decree</p> <p>And this chapter should also list the existing laws (protected areas etc.) of relevance to PLUP</p> <p>Documents produced in the PLUP process (especially maps) should follow minimum quality standards so they will be recognised later</p>
Village Regulations	<ul style="list-style-type: none"> • The village regulations should also include incentives and encouragement, not only prohibitions • The manual should include a "table of contents" for village regulation, plus some examples • The concept of drafting VRs should be kept flexible and adapted to local conditions • The regulations should also mention the sharing of resources with new immigrants to the village • Village regulations should include: <ul style="list-style-type: none"> • Fines for people who do not follow village regulations, • Conflict resolution mechanisms • Allocation of village land to outsiders (companies) by means of contracts • Natural resources benefits sharing guideline is needed to support the regulation • The collective right of cracking down on illegal activities in the commune areas by local communities should be recognised by the national level.

Particular questions/remarks from the memory board to this group were:

What is the official recognition/legalisation process of village or commune land use plans including regulations?

ANNEX 12: WORKSHOP EVALUATION

	☺	☹	☹
Contents / Program	Xxxxxxxxxxxx 11	Xxx 3	
Discussions / Contributions	Xxxxxxxx 8	Xxxxx 5	
Results	Xxxxxxxxx 9	Xxxxx 5	
Organisation	Xxxxxx 6	Xxxxx 5	Xx 2
Moderation / Facilitation	Xxxxxxxxxxxxxx 12	X 1	

ANNEX 13

Speech by Mr. Chea Sam Ang

Deputy Director, Department of Forestry and Wildlife
Closing of Workshop on Participatory Land Use Planning

Good Afternoon, Lady and Gentlemen!

Today I have the honor to participate in the occasion of closing the workshop on Participatory Land Use Planning.

Firstly, on the Department of Forestry and Wildlife and myself, I would like to take this opportunity to express my deep thanks to Sustainable Management Resources Project in the Lower Mekong Basin (SMRP) who provided fund to support the workshop process. Also I would like to express thanks to all organisers who tried to do their best in preparing this workshop until get success. Also I thank to all participants who contributed to the works and express their opinion. They discussed in details about how to manage sound participatory land use planning in order to avoid all conflicts and participation in supporting sustainable resources management.

Ladies and gentlemen!

According to summary of the workshop results it shows that the participatory land use planning guideline contents has been identified and every presenting institution and organisation volunteer to contribute on study and writing down specific topic concerning content. Every organisation and institution will agree to present their output to the next workshop. The next workshop will be held in end of June 2000.

Once again, I would like to take this occasion to thank SMRP and all the organisers. Also to all participants who spent their valuable time to participate in giving and sharing opinion during the workshop. I feel it was a fruitful and satisfactory workshop.

Finally, I would like to wish all of you to get all successful step in implementing and have good health. At this time, I would like to take opportunity to announce the closing of Participatory Land Use Planning workshop right now.

Thank you.