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COLLECTIVE ACTION AND GOVERNANCE CHALLENGES IN TONLE SAP LAKE, CAMBODIA

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Introduction

Almost twenty years since the end of its civil war, Cambodia appears to be on a path of rapid economic development. It cut the national poverty rate by more than two-thirds from 53 per cent in 2004 to 13.5 per cent in 2014 (Asian Development Bank 2016), and surpassed the Millennium Development Goal poverty target. Nevertheless, since approximately 90 per cent of Cambodia's poor still live in rural areas (Sobrado et al. 2013), natural resources play an important role in securing livelihoods for the rural poor. Moreover, these poverty reduction gains remain vulnerable given that those living on less than \$2.30 per day (classified as 'near-poor') continue to be highly exposed to even the smallest shocks to their livelihoods (Ly et al. 2016). This includes the major transformations in freshwater fisheries. At risk are the households that are likely to be classified as poor or near-poor, since the economic viability of small-scale fishing is under pressure from increased competition, illegal fishing and loss of flooded forests needed for spawning that collectively result in declining catch per unit of effort (Ratner et al. 2014).

Diepart (2015) observes that natural resource management remains loosely regulated due to complex and indistinct rights of resource access, and highly embedded and influential networks of power, patronage and influence. Observers (Diepart and Dupuis 2013; Asian Development Bank 2012; Ear 2009) highlight the influence in decision-making of patronage systems, running both vertically and horizontally. Despite elections and other political and institutional reforms (Ear 2009), there is an underlying struggle for control over productive resources between elite groups and ordinary citizens, often resulting in inequitable and unsustainable resource use and the marginalization of the poor (Ratner et al. 2014). Given the multi-sectoral and multi-scale nature of these pressures, local resource users' strategies to address these challenges need to be combined with effective models of organization to foster collective action.

This chapter examines various forms of collective action in fisheries resource access and management that have emerged in recent years and links these with the wider context of ongoing reform processes. Three critical questions are asked:

- To what extent and through which modalities have collective action efforts succeeded in shifting the local relationships of power that shape access to natural resources?
- In the event of success, which opportunities have been presented to local natural resource users to enhance their livelihoods?
- How do less successful examples deepen our understanding of the difficulty of overcoming existing power asymmetries?

To this end, we consider experiences with community fisheries (CFs) charged with promoting sustainable management of local fisheries resources. This highlights why collective action remains challenging despite significant policy and legislative reforms in support of CFs. Two examples of more successful collective action, also within the fisheries sector, are then examined. The first is of cross-scale action to expand local fishers' access rights, and the second documents stakeholder cooperation for managing local fish refuges in rice-field systems.

Context: culture, political and social upheaval and reform towards democratic governance

Authoritarianism is deeply rooted in Cambodia's historical governance experience, which is structured around fiefdoms, with their leaders enjoying power over both people and resources (Asian Development Bank 2012). Collective institutions around resource management were historically uncommon (Diepart and Dupuis 2013). During the Khmer Rouge period (1975–1979), in addition to forced collectivization, the foundation of access rights to resources was systematically dismantled by abolishing all property rights and written evidence thereof (Weingart and Kirk 2008). Also undermined were traditional social ties, such as mutual help, religious institutions and family ties, which damaged the mutual trust necessary for cooperation in common property resources (Joffre and Sheriff 2011). It is only since the period of UN-sponsored elections (1993) that reformers have pursued the goal of decentralized democratic governance.

Central to post-conflict reform is the Decentralization and Deconcentration (D&D) programme, launched almost twenty years ago. By creating a linked administrative system at provincial, district and commune levels around the principles of representatives, transparency and accountability, and transferring administrative and decision-making authority to these sub-national entities, D&D seeks participatory local democracy, effective and timely delivery of public services, and social and economic development and poverty reduction (Royal Government of Cambodia 2005). The elected commune councils that replaced the state-appointed commune chiefs (Ninh and Henke 2005) are a key example of the institutional

reforms that are intended to realize these goals. The expectation of people's active involvement with this structure in local decision-making offers new spaces for collective resource governance (Diepart and Thol 2009).

At the same time, Cambodia's proximity to the larger economies of Vietnam and China means regional dynamics significantly influence resource governance in the country. Keskinen et al. (2007) note China's growing economic cooperation with Cambodia is having a significant influence on the pursuit of major infrastructure projects, such as large-scale irrigation and hydropower dams, as development drivers. Suhardiman et al. (2011) analyse the deficiencies in transparency and accountability concerning hydropower development in Cambodia, including the scant institutional attention and procedural space given to capturing and valuing diverse perspectives around local ecological and livelihood impacts. Allocation of land concessions to powerful domestic and foreign economic interests is another driver of large-scale change in local stakeholders' access to natural resources: 40 per cent of Cambodia's land area was under concessions by 2010 (Borin et al. 2015).

Other spaces for collective natural resources governance: community fisheries

Before 2001, Cambodia's fisheries were characterized by the significant role of large-scale fishing concessions, whereby concession operators enjoyed the sole right to exploit the fisheries within the area over a specified period, to the exclusion of local communities. The cancellation of 56 per cent of concessions in 2001, and a royal decree and sub-decree in 2005 establishing the basis for community fisheries, marked a significant policy shift to community-managed fishing. The remaining fishing lots were cancelled in 2012 (Ratner et al. 2014), making CFs, alongside fish sanctuaries and protected areas, the primary mechanism linking fisheries resource stewardship with poverty alleviation. Each CF works with the Fisheries Administration (FiA) to demarcate the area under its purview, and to establish a committee and rules for managing this area through collective efforts of the membership.

These initiatives, together with the development of commune councils, also aimed to give communities' resource access and management rights stronger recognition within provincial planning processes (Diepart and Thol 2009). Significant advances have occurred in formulating the policy framework, rules and institutions to support community-based fisheries management, and local communities' access to freshwater fisheries has increased significantly. Yet, the results with CFs thus far have not matched expectations (Vuthy and Kong, 2015). Fisheries-dependent communities still have some of the highest levels of poverty in Cambodia (FAO 2011), while pressures on fishery resources continue (Ratner et al. forthcoming). The challenges are numerous, and closely reflect many of the political, socio-economic and resource characteristics that hamper effective collective governance. CFs struggle especially to support the small-scale fishers who represent the majority of fishing households. Declining fish catches and complex local power structures that disadvantage small-scale fishers' access to fisheries (Oeur et al. 2014)

combine to make small-scale fishing unprofitable for many. This is contrary to the assumption advanced by some proponents that CFs would convince fishers to become environmental stewards (Keskinen et al. 2007). Ratner (2006) notes that the cancellation of fishing concessions in fact opened the door to new fishers, with a sharp rise in the use of illegal gear, a problem that remains widespread (Joffe and de Silva 2015), exacerbating the pressure on fishery ecosystems.

CF organizations have little way to generate revenue in order to meet the costs of management and enforcement. Consequently, the costs of resource protection are incurred by communities, while in most areas they have little prospect for deriving sustained financial benefits from the resource. Moreover, focusing primarily on local contexts, CFs have also struggled to advocate for their interests with government agencies within a changing development landscape. Key trends include resource commodification, demographic change (Diepart and Thol 2009; Oeur et al. 2014) and inter-sectoral conflict, such as agricultural expansion and pollution at the cost of flooded forests and increasingly poor water quality (Ratner et al. forthcoming). CFs' single-sector, local-level focus contrasts with the cross-sectoral and multi-user approaches needed to address the pressures that are exerted on fisheries resources (Diepart 2015). Many also lack experience and capacity to organize effectively to address these trends, and they are hindered by internal inequalities and the often diverse and conflicting interests of their members.

Navigating the governance challenge: lessons from two cases of collective action assisted by action research

The above discussion illustrates some of the obstacles to successful collective action to enhance livelihoods in fishing communities. It emphasizes the mismatch between localized, community-oriented resource management institutions and the multi-sector and multi-scale pressures on resources. Nevertheless, the following two examples of collective action suggest that a systematic approach within specific and well-understood contexts can yield positive results even in this challenging environment. The first example is of collective action across scales that succeeded in expanding the area accessible to local fishers, while the second focuses on collective management of rice-field fisheries (RFFs). Both cases involved significant external assistance.

Collective action across scales to expand fishing access rights¹

An action research project initiated in 2009 by WorldFish, the FiA, the Coalition of Cambodian Fishers (CCF) and the Cambodia Development Resource Institute (CDRI) worked to support the capacity of groups around Tonle Sap Lake to advance sustainable livelihoods. The strategy centred on building the collective capacity of a grassroots network of fishing communities to articulate vulnerabilities in fisheries livelihoods, and negotiate in line with the common interests of fishing communities in the Tonle Sap Lake region. The process adopted for strategy

implementation involved deliberative processes of empowerment, mobilization and networking, using the Appreciation–Influence–Control approach to stakeholder engagement. It appreciates the cultural, societal and political context, and explicitly recognizes power asymmetries to identify and act upon constraints and opportunities. Participatory learning and action and participatory action research principles were used to promote joint assessment, action and learning among stakeholders who included local fishers, fish traders, CF members, police officers, commune council members, fisheries officers, environment officers, military police and district officials. To make explicit the underlying contextual factors, these groups were first engaged in assessing the character and roots of resource conflicts in the lake, and identifying the most relevant stakeholders affecting the resilience of local livelihoods. The process gained legitimacy from the way these were identified collectively, rather than introduced by one group or by external experts. Framing discussions at the scale of the lake encouraged actors to consider a broader set of institutional relationships and ecological interdependencies.

A provincial meeting followed each local dialogue, where local representatives presented outcomes and further explored solutions with provincial agencies, NGOs, provincial police, sector department heads and other senior government staff. Concession operators proved difficult to engage. These dialogues built up to a national dialogue held at FiA headquarters, chaired by the FiA Director General with associated government agencies in attendance. This continued the dialogue over solutions identified at sub-national levels.

The following year, Fishing Lot 1 in Kampong Thom Province was terminated, with access rights accorded to local fishers. This was the first fishing concession to be cancelled since the reforms of 2001 as earlier requests by the communities to cancel it had failed. Part of the shift in context is likely attributable to upcoming elections, which increased attention to community advocacy. Another difference was the coalition of partners operating at different scales, and the deliberative and inclusive approach to creating opportunities for local people to raise these issues at provincial and national levels. These also helped elicit support from authorities and built real momentum. For example, in a local dialogue, a cantonment fishery official unexpectedly confirmed the raised concerns. Through this bottom-up and inclusive approach, the coalition and the local fishers built support even within the FiA's ranks. It was therefore no longer just the voices of local fishers, and this generated momentum for a new petition to the National Assembly, endorsed by the local authorities. This was supported by CCF and by the Fisheries Action Coalition Team (FACT), another key fisheries network. The Advocacy and Policy Institute (API) in Phnom Penh arranged meetings with parliamentary groups, prepared community members for these meetings, and followed up with officers of the National Assembly and the Senate.

In this example, a coalition of actors was able to provide linkages across scales after recognizing that community fishery groups around Tonle Sap Lake face problems that cannot be solved at the local scale. Central to coalition building was the deliberative dialogue process focused on identifying common ground on which

consensus could be built. Working across scales also helped minimize the dominance of vested interests and power asymmetries at any one scale. This at least temporarily shifted the power dynamics that are typical of interactions among these stakeholders, supporting new partnerships and patterns of interaction. For example, CF members were able to move from merely raising problems with officials to collectively working through potential solutions that took into account the perspectives of the police, fisheries officers, and commune and district officials. Likewise, FiA officers were encouraged to move from simply explaining and enforcing the law to addressing the root causes of problems. Also critical was the collaboration between a grassroots network and a national line agency. This built trust among stakeholders working at different scales and helped accrue social capital to create a sense of shared purpose.

Building local institutions for community management of rice-field fisheries²

The Rice Field Fisheries Enhancement Project (2012–2016), led by WorldFish, implemented in collaboration with the FiA, and financed by USAID, tested a methodology for building capabilities and institutions that can contribute to achieving the government’s fisheries policy, which calls for each commune in the country, including the Tonle Sap and Mekong floodplain watershed, to develop a community fish refuge (CFR) to enhance RFF production (Ministry of Agriculture, Forestry and Fisheries 2011). Rice-field fisheries refer to the capture of wild fish and other aquatic animals from flooded rice-field agro-ecosystems and their supporting infrastructure (canals, channels, streams and other bodies of water). They are important sources of income and animal protein. For example, in the project’s forty target communities located within the Tonle Sap watershed and Tonle Sap floodplain, RFFs accounted for an average of 38 per cent of a household’s annual fish catch (derived from Miratori and Brooks 2015). Although over 100 CFRs have been developed in Cambodia since the late 1990s (Joffre and Sheriff 2011), a more systematic approach to CFR development and management is now expected. The fish productivity of RFFs hinges on maintaining a CFR – a designated conservation area that connects to the rice fields.

The project was seen as a pilot phase, and by its completion in 2016 significant results had been achieved in terms of improved RFF productivity and contributions to household well-being, along with community capabilities to manage these production systems sustainably. Resource-use conflicts were reduced at all sites through better coordination between all CFR water users – including rice and vegetable farmers, fishers, cattle owners and households accessing potable water – on optimal water use for all users. In other words, limits to the exploitation of this common property resource were both established and implemented.

Underwriting these results was a systematic approach to building technical capacities and actor networks that explicitly recognized the importance of managing diverse interests and asymmetries in influence and capabilities. The central

organizational feature was an elected CFR committee mandated to define the CFR boundaries, develop by-laws and CFR management action plans, hold regular meetings, and manage fish pathways and other components of RFF systems with support from local people, local authorities and the FiA.

The CFR committee was conceptualized around five indicators of good governance: appropriate institutional structure; inclusive planning and implementation; effective resource mobilization; networking with external stakeholders; and equitable representation. To generate these characteristics the project followed four interlinked developmental stages.³ Stage 1 ensured NGO implementing partners gained a sound understanding of RFF management and the central role of CFRs through formal training followed by field application and coaching. Stage 2 built a shared vision of RFF management through CFRs among RFF users, and official institutions at village, commune and provincial scales. Project aims were introduced through two half-day consultation meetings attended by commune councillors, village chiefs, community stakeholders and civil society organizations. Ideas were shared, objectives presented, success stories told and visions for future actions explored.

In Stage 3, RFF management planning was facilitated through two half-day capacity-development sessions for CFR committee members and key stakeholders. By explicitly discussing the different needs of RFF users, misunderstandings were minimized and collaboration of resource user groups facilitated to improve integration of community-level land and water management. Each workshop involved five steps that helped CFR committee members and other stakeholders develop, implement and monitor a six-month action plan to improve their RFF ecosystem. The first step introduced the CFR and RFF system concepts. Step two helped participants develop a realistic vision for improving their RFF over the next three years. Step three strategized how communities could move from existing RFF scenarios to their collective vision for RFF management through problem tree analysis, whereby root causes preventing communities from achieving their vision were recognized and actionable solutions identified. This led on to step four, where stakeholder analysis identified stakeholders in the village with the interest and resources to support the implementation of priority actions. These became six-month action plans in step five, based on a visioning map and a monitoring tool.

The fourth stage of this process involved backstopping to plan implementation through follow-up meetings. Action plans were reviewed and strengthened, and important networks built with other institutions at local and provincial scales. A stakeholder workshop facilitated review of and reflection on key successes and challenges; role-plays by skilled facilitators that clarified the characteristics of good governance and management; participatory assessment of the current status of the five characteristics of good governance; field visits; and drafting of the next six-month plan, which incorporated necessary adjustments. Plan implementation was similarly supported, although more emphasis was placed on improving governance and identifying opportunities for integrating elements of the plan into the Commune Investment Plan to ensure the action plan was integrated into mainstream

development planning processes that could finance continued operation once external support had ended.

Underlying this seemingly smooth process was a strategy to manage risks posed by the pluralistic power bases, such as the village chief, commune council, district and provincial governors and FiA Director. While engaging these individuals from the outset was not in itself novel, it was effective because it went beyond merely informing them of project activities. They were invited to participate in village and provincial dialogues, and asked to perform specific tasks to create a sense of belonging to a collective effort. For example, they were asked to open the dialogues by explaining the objectives, planned activities and expected outcomes of the project to the other participants. This immersion of influential actors in the analysis and planning process provided space for open dialogue among all relevant stakeholders, during which information was shared, feedback provided, and mechanisms for supporting effective RFFs explored and implemented. In addition to this engagement of powerful local and provincial actors, the signing of a collaboration agreement between WorldFish and the FiA which allowed the former and local partner NGOs to implement the project helped generate support for the project's objectives among the sub-national power structure, including the Fisheries Cantonment, the Provincial Governor and commune councils.

However, in some instances, even the above strategies failed to gain support from key actors. At one site, the council chief rejected CFR's action plan, fearing that it would impose too great a burden on the council's resources. In a bid to change his perspective, he was invited to participate in the first reflection workshop with CFR committees from Kampong Thom and Siem Reap provinces, which the Deputy Governor of Kampong Thom also attended. This was followed by exchange visits between the two committees, during which the council chief was able to observe RFF management practices and listen to reports of results identified by stakeholders. He was then able to visualize how a successful CFR had gone through a systematic process and won the support of the Provincial Governor. This was a turning point after which he agreed to support the action plan. Six months later, this CFR received an award from the Deputy Governor of Siem Reap at the next reflection workshop, held in Siem Reap Province. The council chief was also singled out for praise, which cemented his continued support.

This example illustrates that initial difficulties in obtaining support from powerful actors sometimes arise not due to vested interests but for legitimate and addressable reasons, such as concerns over a lack of experience in fundraising to support the CFR. The project's efforts to understand the root causes of this important actor's hesitancy, and facilitation of his participation in the dialogues and exchange visits, served to inform him of the diverse sources of funding that were actually available. Seeing the manner in which the provincial authorities responded to successful CFRs provided further incentive for him to change his attitude towards the CFR in his commune. Not only has he subsequently raised significant funds for CFR activities, but he has also invited the CFR committee to commune council meetings as a source of development support.

Miratori and Brooks (2015) report that the improved management of RFFs has reduced illegal fishing and increased fish catch for local households. Stakeholder reflection workshops also brought out a number of benefits ascribed to the collective approach to RFF management. These include improved coordination with local authorities and the Fisheries Administration Cantonment, which in turn facilitated CFR committee action plans to be embedded in Commune Investment Plans – a major pathway for funding community-level development. Engagement of a wider stakeholder group was seen to improve the quality of the action plans and their overall integration into land and water use and management. Action plans developed through the CFR committee are considered to be realistic, and enjoy greater legitimacy because of the transparency in the planning process. Identifying and bringing together key actors is also believed to have opened multiple avenues for funding CFR activities through temples, the Fisheries Administration Cantonment, NGOs, private companies and other local entities. Continued transparency within CFR committees through regular meetings and systematic documentation of CFR finances appear to induce high levels of participation in CFR meetings. People have also been more willing to contribute funds during fundraising events organized by the CFR committee and local authorities. Approximately US\$14,720 was raised by CFR committees for maintenance projects between August 2013 and September 2014. Working collectively through a CFR committee was also seen to generate innovation and self-help in generating funding for CFR activities. Examples include the use of income from vegetables grown by the CFR on embankments, and the sale of soil generated when refuges were deepened.

Conclusions

Cambodia's institutions of decentralized democratic governance have introduced significant changes in decision-making over natural resources but still face daunting challenges. While the country embraces a market economy developmental model, the majority of its population continues to depend on natural resources that are under increasing stress. Access to and control of these resources constitute a key arena of contestation and conflict between mainly small-scale resource users and political and economic elites. How these conflicts are mediated will be central to whether Cambodia can consolidate its impressive recent achievements in poverty reduction to achieve more equitable development.

The influential conception of development driven by large-scale infrastructure investment and commodification of common-pool resources reflects the tension between this neoliberal model for economic growth and the need for growth to become more inclusive of the poor that forms a central thesis of this book. The difficulties experienced in making community fisheries viable vehicles for poverty reduction while supporting sustainable management highlight the negative feedback loop between resource degradation and livelihood opportunities. The struggle faced by CFs of mainly poor individual resource users to stem illegal fishing and flooded forest clearing resonates with the call to place multi-scale and multi-actor

approaches at the centre of collective action initiatives (Berkes 2007). Given that governance in Cambodia is pervasively pluralistic through competing sets of rules and norms (Adler et al. 2008), the scope and coverage of collective action must be broadened to incorporate key stakeholders across scales (communities, rural elites, sub-national and national government agencies, NGOs, CBOs, international agencies) if CFs and similar approaches for inclusive growth and sustainable resource management are to work effectively.

Lessons on how this might be realized are offered in the two cases of successful collective action. Both highlight the importance of approach and implementing process. The approaches placed the explicit recognition of power relations and understanding of and respect for heterogeneous interests at the centre. This reflects the need, recognized in critical institutionalism, to place social conflicts as an integral part of approaches that seek to influence governance outcomes, and the importance of focusing analyses on how local-level institutions can be linked to the wider political structure. The two examples in this chapter achieved this by embracing deliberative, inclusive and phased implementation processes that facilitated moving from understanding diversity within and across scales to identifying common ground where mutually acceptable solutions were negotiated. Arguably the most important feature of these approaches is that they reoriented the 'us versus them' perspective that often characterizes relations between civil society and state actors to one of a partnership working towards a shared goal. Moreover, the phased approach and willingness to understand individual actors from the perspective of their responsibilities and capabilities helped depoliticize challenges and address root causes where key authority figures appeared to be unsupportive, at least initially.

The case studies suggest that real opportunities to improve resource governance at all scales appear to exist if the right action research approaches are adopted. However, both success stories also reveal the critical importance of the role played by the research community together with local and international NGOs in supporting the process of collective action by helping to foster strategic alliances within and across scales. This suggests that such partnerships are likely to remain crucial for future collective action initiatives in Cambodia.

Notes

- 1 Based on Ratner et al. (2014).
- 2 Derived from Miratori and Brooks (2015).
- 3 See Miratori and Brooks (2015) for details.

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