



Development and Impact of Three Marine Community-Based Fisheries in Kompong Som Bay

**Chhikhor Krom and Chroy-Svay communes, Sre Ambel district
Koh Kong & Stung Hav district, Kompong Som**

Jake Sherman, June 2007

for American Friends Service Committee & Fact

About American Friends Service Committee:

AFSC began working in Cambodia in 1979 and has worked in Sre Ambel District of Koh Kong Province since 1997, providing assistance on natural resource management, community development and agriculture. AFSC has worked with fishing communities to organize under the sub-decrees since 2001. AFSC's work in Koh Kong Province is generously supported by EED, Diakonia, ICCO, Christian Aid and Heifer International.

About Fisheries Action Coalition Team:

Fisheries Action Coalition Team (FACT) is a coalition of Non-Governmental Organizations [NGOs] established in 2000 by a group of NGO members working on the fisheries and environmental issues around the Tonle Sap Lake. Later it also began organizing a coastal fisheries network. FACT was originally established as part of the environment project of the NGO Forum on Cambodia, and became an independent local NGO in 2003. Its active members are all Cambodian NGO staff committed to do advocacy in fisheries and to monitor policy reforms.

Acknowledgements

The research team gratefully acknowledges the participation of community members in the Chikhor Krom, Chroy Svay, and Stung Hav; this is their story. We would also like to recognize the many commune, district, and provincial authorities whose cooperation made the research possible.

This research was made possible by a special grant from ICCO.



Cover Photo: Fishers with longtail fishing boat and shrimp nets in Tameak village, Andoung Tuek district, Koh Kong (Kay Leak).

Table of Contents

Overview and Lessons Learned in English and Khmer	1
Introduction	12
Methodology	15
Thematic Issues	16
A. Sources of solidarity in the fishing communities and threats to these sources of solidarity	16
1. <u>Chhikhor Krom & Chroy Svay</u>	16
Differences in the Level of Engagement	17
Fines and Financial Transparency	18
Fishery Committee Leadership	19
More Resources & the Unintended Consequences of Success	20
2. <u>Stung Hav</u>	21
Poor Community Consultation at the Commune Level	22
Limited Dissemination and Extension Activities	22
Different Perceptions of what a Community Fishery is For	23
B. The strengths and limitations of different community organizing strategies	26
Active Non-Violence	26
Formalization of Fishery Management: Committees and Bylaws	27
Advocacy	29
Negotiation	30
Networking	30
Alternative Livelihoods	30
C. The involvement of women and their role at different phases of the community organizing process	32
1. <u>Chhikhor Krom and Chroy Svay</u>	32
Pre-establishment: Advocacy and Organizing	32
Post-establishment: Less space for participation	33
2. <u>Stung Hav</u>	35
D. The connection between community fisheries and rights-based approaches to development, and the understanding of human rights by communities and officials in relation to fisheries issues	38
The Rights and Duties of Protecting Resources	39
Individual versus community Rights	40
Conclusion	40
Appendix I: Fishery Statistics	42
Appendix II: List of interviews	43

Map of Kompong Som Bay



Chikhor Krom community fisheries includes the villages of An Chi Eut [headquarters], Taben, and Ksach Krahom

Chroy Svay Community Fisheries includes the villages of Saray, Phnom Sralao, Chroy Svay Kach, Chroy Svay Lech, Nisat, and Koh Ream

Stung Hao Community Fisheries includes the communes of Kampenh, Turnup Rolork, and Otres

Reference is also made to the areas of Tameak and Thma Sa in Botum Sokor District, Koh Kong Province although these fishing communities were not a main focus of this research

Overview and Lessons Learned

A. *Background*

- Cambodia initiated small-scale community-based management of fishery resources in 1994. Six years later, more than half of the country's commercial fishing lots were released. This enabled widespread formation of freshwater and coastal community fisheries. The Department of Fisheries has encouraged further expansion, including finalization of a sub-decree on community fishery management in 2005. Nearly 500 fisheries have since been established. Many more are in development or planned. Nonetheless, the concept of local resource management is still relatively new. Fishing communities, local and national government, NGOs and donors continue to learn from their initial experiences.
- The lessons in this report are based on the experiences of three community fisheries in Kompong Som Bay. They are primarily concerned with how fishing communities can maintain solidarity and continue to work well together after the initial phase of community organizing has ended. The lessons have practical application for all fisheries, not just those on the coast. By raising awareness of the challenges faced by these three community fisheries, whether the result of successes or shortcomings, it is hoped that community fisheries elsewhere can better anticipate and overcome similar challenges when they arise.

B. *Situation of Communities in Kompong Som Bay*

- After 1996, improved security led to greater exploitation of fishery resources in Kompong Som Bay. Fish, shrimp, and other marine life began to decline, while tensions between traditional fishers and trawlers and pushboats increased. Fishing communities that before were able to make a living using traditional gear began facing food shortages. As trawlers and pushboats fished closer to the shore, they also destroyed small-scale fishers' nets, further jeopardizing their livelihoods. Conflicts at sea resulted in the deaths of at least 25 fishermen in the late 1990s. Safety concerns forced many traditional fishers to stop fishing entirely.
- In response to declining resources and increased conflict, fishing communities in Sre Ambel organized their own fisheries. With support from American Friends Service Committee, the Chhikhor Krom community fishery was officially recognized by the government in 2003. In early 2006, the Chroy Svay fishery was recognized. Meanwhile, fishers in Stung Hav district, Kompong Som, have been working since 2004 to establish their own community fishery in an effort to find a sustainable solution to the livelihood problems faced by trawler fishers living in the district. New fisheries are also being set up in Andoung Tuek and Thma Sa communes, eventually bringing the whole Kompong Som Bay coastal area under local management.
- Through the organizing process, fishers in Kompong Som Bay learned that they could peacefully call attention to and improve their situation. The community based fisheries have improved their livelihoods and their security. In Sre Ambel, dissemination of bylaws and enforcement by joint patrols of fishery officers and community members have reduced the number of trawlers and pushboats fishing inside the community area. Marine life upon which fishers depend is making a rapid comeback in areas under protection.
- However, as fish stocks continue to decline elsewhere, fishers from surrounding communities have begun challenging the legitimacy of the community fisheries. Fishery members are deeply discouraged by ongoing encroachment of trawlers and pushboats, and occasional incidents of violence. Meanwhile, as community fisheries mature, tensions are emerging among members and with their elected committees. Fishery members are becoming more focused on benefiting from increased resources and less focused on protecting them.

C. Lessons Learned

Sources of solidarity in the fishing communities and threats to these sources of solidarity

- The shared threat of declining resources is an important source of solidarity for fishing communities. Where there are fewer alternative sources of income, protection of fishery resources is even more urgent for community members. As fishery resources rebound and trawlers and pushboats entering the fisheries decline, fishery members naturally begin to focus more on catching resources than on protecting them. As a result, cooperation and solidarity can decline along with the threat from outside illegal fishing. Community members recognize that they need to continue protecting resources, but worry that others who do not take time to participate in protection will get more benefit from resources. Committee members also have less incentive to fulfill their fishery duties because they, too, want to benefit from more resources.
- Fishery members and local government officials frequently express frustration that fishery committees lack leadership and initiative. Community members want their leaders to take proactive decisions, but they also want to be consulted. Balancing these needs can be difficult. Strong community organizers are not always the best committee leaders, especially if they cannot adapt to the changing needs of the community fishery as it develops.
- Fishery committees often cease holding regular regional and village meetings once NGO facilitation around community organizing ends. Yet, the more interaction among villages, the more they will feel part of a community working for a common cause. If there can be more interaction among committees and members, members will have more confidence that committees are working for everyone's interest, rather than their own. There is a need for development organizations to continue their work with community members well beyond the organizing stage in order to gradually build their confidence and capacity to lead and manage fishery affairs on their own. The more organizations can do this the more likely community fisheries are to prove sustainable in the long term.
- Committees can unintentionally shift responsibility for resource protection away from the community as a whole onto fishery committees. Community members may hold committee representatives to a higher standard of behavior than their own, especially as resources increase. There also often is an expectation that committees will be able to overcome challenges that the community as a whole was unable to deal with prior to organizing the fishery, such as securing cooperation from relevant government officials to enforce fishery boundaries. They may view foreseeable setbacks as failures. As a result of such unfulfilled expectations, fishers can lose confidence in the fishery.
- Misconceptions about how community fishery funds are collected, shared, and spent are common among fishers. They affect relations between patrollers and committee members, and between patrollers and non-patrollers. Ensuring that fishery members understand their bylaws and that fishery committees are transparent can prevent jealousy, mistrust, and corruption among members. Community-wide meetings provide an opportunity for committees to ensure that everyone is aware of community finances. Providing invoices for fines may help reduce accusations that fishery officials and community fishery members are arresting illegal boats for their own benefit.
- Even when fishers have the right to enforce their community boundaries, members may be reluctant to patrol because of conflict with commercial fishers. Those who accept the risk benefit the whole community, but may come to resent those who do not patrol. Meanwhile, if illegal fishing continues in spite of patrols, some fishery members may question the effectiveness of patrols and patrollers alike, fueling further resentment and undermining community solidarity.

The strengths and limitations of different community organizing strategies

- Active non-violence training has empowered community members to raise their concerns to local authorities, to make “citizen’s arrests” of trawlers and pushboats, and to turn away from violence. These successes reinforce solidarity. ANV training increased the confidence of women to engage in advocacy on behalf of the community fishery. Where training was offered as part of the community organizing process, women played a central role in encouraging other women to speak out and voice their frustrations to local government officials prior to the establishment of the community fishery.
- Networking enables community members to share information, knowledge, and experiences. While setting up a fishery, they can learn organizing methods and technical expertise, applying it their own situation. Through networking, they also come to understand that their situation is not unique, building solidarity with other communities. Networking can also be used to diffuse conflict by creating a basis for dialogue. The Kompong Som Bay coastal fishery network organized by FACT has provided a forum for traditional fishers and trawler fishers to discuss and negotiate, channeling frustrations away from violence. Through regular contact, these meetings help to dispel rumors and misconceptions that can escalate tensions, thus building trust among fishers on both sides.

The involvement of women at different phases of the community organizing process

- NGO-facilitation of the community organizing process helps enable women attend trainings, participate in meetings, voice their ideas, and share in decision-making. Once the organizing phase ends and community fisheries have been officially recognized, NGO involvement often decreases. As a result, space for women to meaningfully participate can also diminish. As the public face of the community fishery becomes more male, the likelihood of conflict escalating rather than diffusing increases.
- Regular community-wide meetings are an important venue for women community members to be involved in discussions about the community fishery, as they often represent their families on behalf of their husbands. Without NGO facilitation, fishery committees often cease holding meetings. Women must therefore rely on informal discussion with female committee members or raise issues through male family members. Although they say they are still able to raise their concerns, their preference is participation in community meetings.
- Women want a greater role in community fishery decision-making, but face several constraints, including low levels of literacy and educational attainment, family and household obligations, and the related greater difficulty traveling away from home. Women with no or low literacy often self-select out, further limiting their opportunities. Literate women are more likely to be chosen for trainings and workshops because they have better comprehension of the material. As a result, they have more confidence to speak out and thus take a greater role in decision-making. With fewer literate women than men, women may have less participation than men in both relative and absolute terms.

The connection between community fisheries rights-based approaches to development.

- There is a tension between, on one hand, fishery members’ right to patrol and, on the other, the responsibilities that communities take on when they do this. Without a right to patrol, fishers would be unable to protect resources, compromising the idea of local management. However, according to their by-laws patrollers must cooperate with fishery officials, who are not always free when community members need them. If fishers follow their bylaws to the letter, then they cannot protect their resources; if they bend them, they are bending the law. Certain fishery officials are willing to engage on this issue. Human rights, development, and environment NGOs, relevant government offices, and community members should use this opportunity to discuss how communities can be empowered to best protect their resources.

- Fishery members want greater cooperation from law enforcement officials in order to better protect their resources. There is a danger in certain circumstances, however, that stronger enforcement may lead to greater conflict with illegal fishing boats, rather than less. Enforcing the law against these fishers will not solve the problem of illegal fishing because it fails to address the rights of these fishers as well. Instead of being treated like criminals, they too need to be treated as poor people with rights.
- The right to a better livelihood can only be enjoyed if it is respected by all individuals without infringement upon one another. Community-based fisheries decentralize resource management. Local stewardship entails duties on the part of community fishery members. The emphasis is on protecting resources and, by extension, livelihoods. With encouragement from development and human rights NGOs, fishing communities have started to learn about their rights and have started to organize. However, if members believe that community fisheries will entitle them to engage in destructive fishing practices without fear of arrest, thus destroying other's rights and livelihoods, then this purpose of community fisheries has been misunderstood. NGOs must continually consider the impact of their work on other communities in order to protect both livelihoods *and* environmental resources for everyone.

Introduction

Cambodia initiated small-scale community-based management of fishery resources in 1994. Six years later, more than half of the country's commercial fishing lots on the Tonle Sap Lake were released to community management. This enabled widespread formation of freshwater and coastal community fisheries. The Department of Fisheries has encouraged further expansion, including finalization of a sub-decree on community fishery management in 2005. Nearly 500 community fisheries have since been established. Many more are in development or planned. Nonetheless, the concept of local resource management is still relatively new. Fishing communities, local and national government, NGOs and donors continue to learn from their initial experiences.

After 1996, improved security around Kompong Som Bay led to greater exploitation of fishery resources. As a result of overexploitation and destructive fishing practices, fish, shrimp, and other marine life began to decline and tensions between traditional fishers and trawler and pushboat operators increased. Fishing communities that before were able to make a living using traditional gear began facing food shortages. As trawlers and pushboats fished closer to the shore, they also destroyed small-scale fisher's nets, further jeopardizing their livelihoods. Conflicts at sea resulted in the deaths of at least 25 fishermen in the late 1990s. Safety concerns forced many traditional fishers to stop fishing entirely.

In response to declining resources and increased conflict, fishing communities in Sre Ambel district, Koh Kong Province organized their own fisheries. With support from American Friends Service Committee, the Chhikhor Krom community fishery was officially recognized by the government in 2003 and in early 2006, the Chroy Svay fishery was recognized. In Kompong Som Province, fishers in Stung Hav district have been working with support from the Sihanoukville municipality project (PemSea), Seila Program, district authorities, the Sihanoukville NGO Advocacy Network (SNAN) and Star Kampuchea since 2004 to establish their own community fishery in an effort to find a sustainable solution to the livelihood problems faced by trawler fishers living in the district. New fisheries are also being set up in Andoung Tuek and Thma Sa communes, Koh Kong, with the prospect that eventually the whole Kompong Som Bay coastal area could be brought under local management.

The community fisheries of Kompong Som Bay have demonstrated some significant successes: fishery resources in areas that are actively protected by the community have rebounded dramatically. Communities and local officials have moved from relationships marked by isolation and mistrust to an acknowledgement of mutual dependence and the need for mutual cooperation. However, the experience of communities in Kompong Som Bay also illustrates the types of problems that community based organizations can expect to face after the initial organizing phase. Communities have struggled to maintain solidarity after the crisis of collapsed resources had passed. In some cases, leaders or certain members have tried to use the community fisheries for personal benefit. In other cases, communities have placed unrealistic expectations on committee members while being less willing to contribute time and resources to supporting the committee or patrolling the protected area. There have been misunderstandings about what community fisheries means, with some believing that community fisheries will give them the right to use destructive fishing practices or the right to unilaterally arrest and punish illegal trawling.

Moreover, as fish stocks continue to decline in the rest of the bay there is increasing pressure to gain access to the community protected areas where resources are still rich. Despite media dissemination of information, support for coastal fishery networks, and community-to-community discussions, tensions remain between and within communities and several incidents of violence have occurred. In February 2005, arrest of illegal trawlers led to an attack on the community fishery headquarters of Chhikhor Krom by an angry fishers from Stung Hav district. The dispute was eventually solved through negotiation, but the seriousness of the attack alarmed concerned NGOs, local officials and fishing communities.

Community members and some of the most influential leaders of the community fishery committees are deeply discouraged by ongoing problems and incidents. The goal of this research is to engage fishery communities and related stakeholders in a process of reflection, review, and

analysis in order to draw lessons from the experiences of the past and chart a way forward. This analytical report accompanies a separate case study report, *Experiences from Three Marine Community Fisheries*, in which men and women fishers living in community-based fisheries in Chhikhor Krom and Chroy Svay communes of Sre Ambel district, Koh Kong province, and in Stung Hav district, Kompong Som tell their stories about the impact of community fisheries on their livelihoods, as well as their fears and dreams for the future.

This report is intended more for NGOs, donors, and government officials involved in organizing and supporting community fisheries in Cambodia. As such, it looks specifically at what the Kompong Som Bay experience can reveal about the following aspects of the community organizing process:

- The sources of solidarity in the community and threats to these sources of solidarity;
- The strengths and limitations of different strategies for community organizing;
- The involvement of women and their role at different phases of the community organizing process;
- The connection between community fisheries and rights based approaches to development, and the understanding of human rights by communities and officials in relation to fisheries issues.

Both this analytic report and the case study report are being used as a basis for ongoing discussion of issues with fishing community members and other stakeholders, including government officials and NGO staff. These discussions, together with the research findings, will be used to influence programs and policies in order to better respond to the needs of community-based fisheries in Kompong Som Bay and in Cambodia.

Methodology

Research for this report was conducted in three districts around Kompong Som Bay: Sre Ambel and Botum Sakor, Koh Kong province, and Stung Hav, Kompong Som province. In Sre Ambel, research was conducted in Chhikhor Krom commune (An Chi Eut, Taben, and Ksach Krahorm villages) and Chroy Svay commue (Saray, Chroy Svay Lech, and Nisat villages). In Botum Sakor, interviews and focus groups were conducted in Tameak and Thma Sa villages. In Stung Hav, research was conducted in coastal villages of three communes – Kampenh, Tumnuv Rolork, and Otres.¹ Additional interviews were conducted in Sihanoukville and Phnom Penh in order to engage with key government and NGO stakeholders. The main information collection process took place over a period of four months (mid-March to mid-July 2006) and follow-up workshops and discussions were held in late 2006.

The research for this report was conducted as part of a wider participatory process designed to elicit community members' own experiences with fishing before and after the establishment of community-based fisheries, as well as their fears and hopes for the future. The research was designed and conducted in stages, both to avoid making heavy demands on the community members' time and to allow for a return to key issues and for follow-up questioning and reflection. The primary product of this research was the case study report *Experiences from Three Marine Community Fisheries: Chikhor Krom and Chroy Svay Communes, Koh Kong Province and Stung Hav District, Kompong Som Province*.

The research team first held preliminary discussions with fishing communities and other key stakeholders to introduce the research concept, in which participants were asked to identify key questions and priorities regarding their situation. Researchers then identified participatory research tools to elicit community members' shared history, including their fears, hopes and dreams. Stakeholder-specific semi-structured research questionnaires were designed around a range of issues, including community solidarity, women's participation in fishery organizing, the impact of rights-based development, and the effectiveness of different organizing strategies. Separate focus groups were conducted with men and women community fishery members and with fishery committee members. In Stung Hav, additional focus groups were held with non-members. The target size for each focus group was 10-15 people. Focus group participants were identified with assistance from fishery committee members and other stakeholders. One-on-one, in-person interviews were held with government officials and NGO staff. (See Appendix I for a list of interviews and focus groups.)

The research team consisted of: Mr. Jake Sherman (team leader), Mr. Kay Leak (researcher),² Ms. Sous Siem (AFSC), Ms. Chhom Theavy (FACT), and Mr. Pen Somany (AFSC/ Cambodia Volunteers for Society). The views and opinions expressed in this report are those of the team leader – Mr. Jake Sherman.

¹ Fishing villages in Stung Hav are more developed (with the exception of Thma Sa village) and closer together than those of Sre Ambel and Botum Sakor district. Consequently, while focus group participants came only from the commune in which the focus group was conducted, they often included participants from outside the village where the meeting was held.

² March – May 2006.

Thematic Issues

A. Sources of solidarity in the fishing communities and threats to these sources of solidarity

1. Chhikhor Krom & Chroy Svay, Koh Kong Province

Traditional fishers in Chhikhor Krom and Chroy Svay communes had few options to stop overfishing before the establishment of community-based fisheries. Trawlers and pushboats posed a common threat to their livelihoods, decimating fishery resources and destroying nets, leading to a cycle of violence between fishers with different types of gear.

The proposal to organize community fisheries as a means of improving fishers' livelihoods received near total support from affected villages when introduced by AFSC in Chhikhor Krom and later in Chroy Svay. The process brought fishers and other community members from different villages together for trainings and other activities, including collectively drafting community fishery bylaws, holding elections and voting for committee members, lobbying for recognition by government officials, and ultimately securing approval. Communication among small, isolated villages increased as they discussed their shared situation, raised ideas about how the fishery should function, and what should be permitted or banned. As the organizing process moved ahead, they realized that by working together they could peacefully seek recognition of and solutions to the challenge of illegal fishing from government. They could convince other fishers in their villages to abandon illegal gear in favor of sustainable methods so that they could collectively increase their resources and better their livelihoods. In cooperation with authorities, they could act together to stop larger fishing boats that entered their fishing grounds. They could even overcome resistance and get participation from government officials.

Fishers began to see marine resources as a collective good, which they could protect by working together to patrol and make arrests. They were willing to accept limitations on their fishing behavior, in the form of bylaws, with the understanding that these rules would affect all members and nonmembers equally, collectively benefiting everyone through increased fishery yields in the long-term.

The community fisheries in Chhikhor Krom and Chroy Svay remain an important source of solidarity among and within villages. Community members overcame considerable obstacles to get approval for their fisheries and justifiably share a sense of accomplishment. Even families that have not joined the community fishery indicated their support for the community fishery.³

The role of the community fishery in maintaining cohesion is demonstrated, for example, by the commitment of community members in Chroy Svay Lech and Nisat villages to continue operating within the fishery bylaws despite their high level of frustration with ongoing fishing by illegal boats. It is not clear, however, how much longer community solidarity will counterbalance frustration with lack of results in Chroy Svay. Community members admit that violence in the future may be unavoidable if they cannot peacefully solve the problem of illegal encroachment.

In Chhikhor Krom and Chroy Svay alike, unity has begun to deteriorate since the establishment of the community-based fisheries, though the latter is more recent, giving fishing communities comparatively less time to develop strong solidarity. The deterioration, which exists between and within villages, is a product of both the successes and failures of the community fisheries – of diminished urgency as fishery resources increase, of frustration with continued illegal fishing, and of the challenges brought by formalizing fishery management. The fact that unity is not as strong as it once was or again could be is openly acknowledged by fishers, committee members, and outside stakeholders.

³ For community membership statistics, see Appendix I.

- **Differences in the level of engagement**

The capacity and willingness of villages and individual members to support resource management activities of the community-based fishery varies. In Chroy Svay, this difference has little if any impact on solidarity; in Chhikhor Krom, however, the affect is significant.

Fishing communities in Chroy Svay are geographically distant from one another, making communication and travel between them difficult. This has hindered solidarity and cooperation among them. Consequently, they tend to work in parallel rather than together to patrol their waters. The villages are also not equally affected by illegal fishing. Nisat and Chroy Svay Lech are heavily affected by illegal fishing because they are closer to the open sea of Kompong Som Bay and have less land for rice cultivation and plantations. In contrast, Saray is less dependent on open water fishing, as its fishers stay mostly within the mangrove forest, as well as having more agricultural land, and are thus less affected.⁴



Traditional fishers in Chroy Svay Lech village, Sre Ambel district (Kay Lek)

Community members within the different villages acknowledge that illegal fishing has an uneven impact and accordingly accept that some villages are less active in patrolling and making arrests of illegal fishing boats. Community members in Saray said they participate in fishery community meetings, when held, and discuss how to protect resources, but readily admit that they do not go on patrol. They expressed a willingness to go on patrols if called by other villages, but acknowledge that they are far away from both the sea and other villages. This makes travel more difficult, especially at night when trawlers and pushboats tend to fish. The other villages seem to accept this reality and do not expect more from Saray.⁵ According to one fisher in Chroy Svay,

“We all have the same problems with trawlers coming and ripping our nets. Illegal fishers still ignore our community rules. We have an agreement among the villages to go patrol, but Saray is a bit far, so it is OK that they don’t go... Saray is in the canal, so they don’t face as many problems.”



Middlewoman purchases blood cockles, An Chi Eut village, Sre Ambel (Pen Somony).

Within villages, patrollers publicly say that members can support conservation of resources without participating in arrests. According to the leader of the Nisat village fishery committee, “Some people only contribute labor, some only contribute ideas. Maybe 10 percent don’t contribute anything.” Within Nisat and Chroy Svay Lech villages, however, some patrollers privately resent that not all male fishery members participate in patrols. People are still scared to go on patrol because of the risk of being injured or killed – so a portion of the community faces the risk for the benefit of the whole. When patrollers want to arrest an illegal boat, they cannot always find enough fishers who are willing to go. This puts those that do go at greater risk, since there is safety in numbers. As trawlers and

⁴ Chroy Svay Kach, like Chroy Svay Lech and Nisat is also heavy affected, but is excluded because no research was conducted there. Sralao village, whose situation resembles Saray is similarly excluded.

⁵ The fact that current regional fishery leader comes from Saray village does generate problems, as discussed below.

pushboats continue to come despite arrests, some members do question the effectiveness of patrols, fueling more bitterness among patrollers towards those who do not participate.

In contrast to the Chrouy Svay fisheries, the capacity and willingness of community members to contribute to fishery activities in Chhikhor Krom is a main source of disunity. When the Chhikhor Krom fishery was officially recognized in 2003, there was close cooperation between villages, especially An Chi Eut and Ksach Krahorm. Community members already had a history of working together to prevent illegal fishing, petitioning local government and undertaking non-violent citizen's arrests. But as of mid-2006, cooperation between the villages had broken down, and with it, solidarity had diminished.

One reason for this change is the imprisonment of a patrol member from Ksach Krahorm after the accidental killing of an illegal fisher. Villagers in Ksach Krahorm feel a collective guilt about the death and the imprisonment, since the incident happened while the patroller was trying to protect the fishery community. Community members in Ksach Krahorm have lost confidence in the fishery. They fear that if they continue to patrol, then the incident may repeat itself in the future and they will again be powerless to prevent or resolve it.⁶ According to the village fishery committee, nearly 50 percent of fishery members feel this way; the other 50 percent continue to work for the fishery, but also "feel hopeless" about their inability to get the patroller released.

Since this incident, community members from Ksach Krahorm have neither held nor attended fishery meetings. Both the Chhikhor Krom regional fishery leader and Cheng the village committee leader in Ksach Krahorm were unable to get participants even when they tried to organize a meeting in the village. According to one fisher, "Before when we had a meeting, we would go, but now we don't want to join. We tried very hard to get [the patroller] out, but we cannot." Ksach Krahorm also ceased patrolling, whether alone or in cooperation with other villages. For patrollers in An Chi Eut, the cessation of involvement in the community was a betrayal that threatens the community fishery as a whole.⁷

In practice, An Chi Eut is singularly responsible for enforcing the fishery boundary for the benefit of the whole Chhikhor Krom fishery community, since Taben village does not patrol either. Taben, however, has managed to maintain good relations with An Chi Eut and Ksach Krahorm.⁸ With 76 families, Taben is one-third smaller than the other two villages and has tended to follow their lead, which has enabled it to remain on good terms with both.

● **Fines and Financial Transparency**

How fishery committees collect, share, and use fines money is a critical issue for relations between patrollers and committee members, and between patrollers and non-patrollers in Chrouy Svay and Chhikhor Krom fisheries.

When fishery members arrest a trawler or pushboat for illegally fishing inside their boundary, a fine is levied on the basis of the boat's engine size (5,000R per 1cc). The typical fine for a trawler is around 400,000R (US\$ 100). According to the bylaws of An Chi Eut and Chhikhor Krom, 60 percent of the fine goes to the government via the fishery officer. The community fishery keeps the other 40 percent – 20 percent goes to the community fishery treasury, the other 20 percent is allocated for expenses, e.g., gasoline for the patrol boat. The remainder after expenses is divided among the patrollers who made the arrest.

⁶ According to some fishers, relations between An Chi Eut and Ksach Krahorm were strained even prior to the patrol incident because former military conducting patrols in the latter did not follow the bylaws, for example, returning confiscated illegal gear after the fine was paid.

⁷ As part of an institutional analysis conducted by the research team with men's focus group in An Chi Eut, participants ranked their relationship with Ksach Krahorm only above that with trawler and pushboat fishers – i.e., behind the district governor, fishery officer, commune police, and chalam krahorm. Based on focus group discussions in Ksach Krahorm, the animosity felt by An Chi Eut is not reciprocated.

⁸ Focus group participants in Taben ranked Ksach Krahorm just behind An Chi Eut and ahead of the aforementioned authorities.

This allocation is not understood by all members. Some fishers resent that more than half the fine money goes to the fishery officer even when he does not participate in the arrest. Why, they ask, should the fishery officer get money, when it is the patrollers who take the risk? Patrollers do not understand that, in being given the right to stop encroaching boats, they are sharing duties associated with the state (fishery officers) and therefore have corresponding responsibilities. Patrollers also complained their share is too small. If more people go on patrol, then the share of the fine is less, since it is divided among more patrollers. This can affect fishers' willingness to go on patrol – if they receive less money, they are less willing to accept the risk. This can make it harder for the committee and patrol leaders to get enough participants.

Previously, the community fishery collected 50 percent of the fine, but the proportion changed in 2005. There is now less money allocated to the community and, thus, less for patrollers. Past disregard for the bylaws by fishery committee members can likewise affect patrollers' perceptions of what they are entitled to. In An Chi Eut, for example, patrollers said that they no longer receive as much money as they did in the past. They complain that they have not received an explanation why from the committee. This "lack of transparency" has led to private accusations by some patrollers that the present committee is corrupt. In fact, patrollers receive less money under the current committee because a previous regional community leader did not always inform the fishery officer when patrollers collected a fine. Instead, the community fishery would keep 100 percent of the money and a greater share would be given to patrollers.

How the fishery committee uses money – and its accessibility for members to borrow – is another point of contention. The Chhikhor Krom regional leader notes, "some members want to borrow [from the community], but cannot so they think the community fishery is useless. But we have to spend money on things for the community." Routine expenses include maintenance and repair of patrol boats, organizing community meetings and social events, communication with the fishery officer and other officials, guarding arrested boats, etc. Given that patrollers earn much of the community fishery's income via fines, there is unhappiness that they cannot access it whenever or for whatever they choose. The community fishery can, however, donate small quantities of money to fishers in case of medical emergencies, etc.

Fines also provoke tensions with trawler and pushboat fishers, who often accuse fishery officials and community fishery patrollers of arresting and fining illegal boats for their own benefit. Providing invoices for fines would help reduce accusations that fines are illegitimate. Corruption on the part of certain fishery officials, however, is a serious problem that permits trawlers and pushboats to illegally fish and which cannot be addressed by invoicing alone.

● **Fishery Committee Leadership**

Community fishery members in Chroy Svay and Chhikhor Krom, as well as certain outside stakeholders, expressed frustration that the fishery committees lack leadership and initiative. Managing community fisheries is the responsibility of the village and regional-level committees. Fishers expect committee leaders to be actively engaged in listening to their problems, helping to devise solutions, protecting resources by organizing patrols, working to improve the community, and representing the fishery to NGOs and local government.

Without facilitation by AFSC, committees at both the regional and village level in the two communes have not been holding regular meetings. In Chhikhor Krom, there has not been a fishery meeting in over a year. In Chroy Svay, no meeting has been held since the committee elections in 2005. The absence of a forum in which members can meet, get reports from the committee on its work, raise problems, and collectively discuss solutions contributes to the lack of unity among villagers. Without regional meetings, there are few if any opportunities for different villages in the fishery to come together due to distance and lack of communication. The less interaction there is between the villages, the less they feel part of a community working for a common cause. The absence of

*"There is lack of unity because there is poor management within the community fishery. Members don't respect the leader and vice versa. They feel jealous of each other."
–Chhikhor Krom Commune Chief*

meetings also undermines members' confidence that the committees are working for the good of the community. There are several reasons for the lack of meetings, from poor committee management – in some cases due to low capacity, in others, low engagement – to more time spent by all members on fishing.

In Chroy Svay commune, for example, the regional fishery leader no longer fishes and so is not directly affected by illegal fishing. He lives in a village that is less directly affected than other villages in the community fishery. Fishery members complained that he is not interested in leading the community fishery and does not respond to the problems they face from illegal fishing. According to members, he does not encourage them to work together to protect their resources and is often not available to organize or approve patrols. In other words, the regional leader undermines the community fishery, rather than strengthens it. In Chroy Svay Lech and Nisat, fishers believe that the next regional leader should come from one of their villages so that he or she better understands the problem of illegal fishers and is more likely to be on hand to help solve problems, rather than just offer ideas.

In An Chi Eut and Nisat villages – and likely elsewhere, as well – there is a rivalry between certain fishers and committee members. Some active members think that they “know better” than the committee. They believe that they contribute more to protecting the community than the village committee does and that they do not get adequate support from the committee, which “only meets but never takes action.” While members accuse the committees of not working, the committee members accuse members of unwillingness to attend. In An Chi Eut, one patrol leader said that they are no longer dependent on the regional committee; the patrollers run activities by themselves and “use the fishery officer as a committee.” Although the village committee leader is not good at management, they said it would be better to encourage him to improve rather than to go to the regional committee. The village committee leader has considered resigning because he doesn't think he is qualified, but AFSC staff have encouraged him to stay and are trying to build his capacity because he is honest, respected by the community, and good at patrols.

Regional meetings provide one of the few opportunities for fishery members from different villages to come together. Neither regional community fishery committee has organized a regional meeting in the past year, though there have been unsuccessful attempts in Chhikhor Krom. Here, resources have increased as illegal fishing decreased, so there may be a less pressing need to discuss strategies for controlling illegal fishers, but there is a continued need to bring together community members – both within and among the villages – in order to repair, strengthen, and maintain social ties and unity.

- **More Resources & the Unintended Consequences of Success**

The Chhikhor Krom community-based fishery has successfully operated since 2003, during which time fishery resources have rapidly recovered. Community patrols and good cooperation with the fishery officer have helped to decrease the number of illegal boats, which began going to Chroy Svay in greater numbers. In Chhikhor Krom's three fishing villages, community members now devote more attention to catching fish and less time protecting them. Villagers readily acknowledged this; committee members, as well as men and women's focus groups, stated that when the community fishery was first established, they had strong cooperation with each other to protect natural resource because their livelihoods were under threat by outside illegal fishers. Since fishery resources have become plentiful, however, they say they have started thinking more about themselves, and less about the good of the whole community. There is a less pressing need to do patrols and have meetings. They recognize that they all need to continue protecting resources if the return is to be sustainable. According to one woman in Taben,

“People here forget what they were in the past – that they had less resources. Now they are richer, so they don't pay as much attention to the fishery community.” – Chhikhor Krom Commune Chief

“If we stop going to protect our resources and only think about getting fish for ourselves, then there might be a decrease of resources and we’ll have to reorganize the community again.”

But they also believe that if they focus on protecting resources, others members of the community who do not will take advantage of increased resources.

Fishery committee members in Chhikhor Krom stated that their responsibilities take time away from their own fishing activities. The regional committee leader said she spends 5–10 days per month on committee-related business. She and other committee members also feel that community members do not acknowledge the time they dedicate to this role. As committee members, they work for the community fishery, but feel they are unable to reap the rewards themselves. According to the Taben committee leader,

“Committee members compare what they get when they spend three days in training to what fishers earn. They get knowledge, but lose money because their per diem is lower than what they make from fishing. So the community benefits from me, but my family does not...If our families are having problems, the whole society will have problems.”

2. Stung Hav, Kompong Saom Province

In Stung Hav, supporters of the community-based fishery have faced greater resistance from *within* their fishing communities than their counterparts in Chhikhor Krom and Chroy Svay communes. According to the district fishery committee leader, 80 to 85 percent of people in Stung Hav are dependent on fishing for their livelihoods. Most of this is illegal fishing within the shallow water of Kompong Som Bay, since there are over 700 trawlers in the district.⁹ There are few other economic activities. Stung Hav residents do not have land for rice cultivation, farming, or keeping livestock, nor are there sufficient options in other economic sectors.

Of the approximately 2,900 families living in the district, ten percent of the population are members of the community-based fishery. The remaining ninety percent of the population are largely ambivalent about setting up a community fishery. If existing members get sufficient benefits, then they, too, would likely join; if it fails, they believe they are no worse for having waited. Meanwhile, a small but vocal minority of trawler fishers are opposed to the community fishery, fearing that it will jeopardize their livelihood.



Trawlers dock and unload their catch at the pier in Kampenh, Stung Hav. (Kay Leak)

According to the district leader, the initiative behind the fishery was led by 25-30 community members who believe that illegal fishing and the conflict it generates with other communities are unsustainable. Many though not all of them use traditional gear. Some use trawlers, but recognize the importance of conservation and are trying to change their way of fishing. They wanted to cooperate with an NGO to find alternative livelihoods, so they raised the idea with Star Kampuchea and the Sihanoukville NGO Advocacy Network (SNAN) in 2004. The committee’s goals are: (i) to have one voice with which to advocate, (ii) to request a permitted fishing area from the government for the trawlers, (iii) to create alternative jobs, including animal raising, (iv) to

⁹ The Royal Cambodian Government’s Fiat-Law No. 33, “Fishery Management and Administration” (1987), banned trawlers from operating in shallow water less than 20m deep.

protect and grow mangroves, and (v) to attract eco-tourism.

In a process initially independent from the district-level community fishery, the three communes in Stung Hav also established their own “flooded forest protection communities.” In Tumnup Rolork and Otres communes, organization has been government led and largely top-down, with support from the Seila Program, the Sihanoukville Municipality, and the Department of Fisheries. In the third commune, Kampenh, the protection community was organized by SNAN with support from Star Kampuchea (which is also providing support to the district level community), and appears to have been more bottom-up. Membership in the district fishery is based on membership in the flooded forest protection communities.

- **Poor community consultation at the commune level**

In Otres and Tumnup Rolork, setting up flooded-forest protection communities has been driven by the commune, rather than by the community. Commune-level committee members were selected by the village chiefs and approved by the commune chief. According to the commune chiefs and committee members, those selected had more training from NGOs on fishery resources management and advocacy. In reality, few committee members – e.g., two of 11 in Otres – had received any prior training. Possessing a pre-existing leadership role in the community appears to have been another criterion used. This resulted in the appointment of existing powerholders to committees, thereby reducing the likelihood that poor fishers would gain greater control over resource management.¹⁰ While the process undoubtedly resulted in the selection of some knowledgeable and dedicated members, it also reinforced political alliances and control.

Some committee members were not consulted about becoming committee members and were unaware that they had been selected, even when invited for the election of committee officers. In Otres, one committee member said, “I didn’t know I was selected. I was invited to a meeting and when I arrived, I was elected.” One woman committee member said, “Before I was selected, the village chief asked me to stand, but I refused because of other obligations. But I was selected anyway.” These committee members have little stake in an organizing process imposed upon them. In Otres and Tumnup Rolork, only about half of the 11 members on each commune-level committee are engaged in the work (i.e., actually attend meetings). In Tumnup Rolork, three committee members have resigned and at least one other said he wants to; in Otres, three have also resigned.

- **Limited dissemination and extension activities**

Among trawler fishers, there is a reluctance to engage in discussions about the impact of trawling because of fears of jeopardizing their livelihoods. Several fishers denied that there had been any reduction in marine resources. Others acknowledged the decline, but said they were not worried about running out because they would go fish elsewhere. Publicly, fishers seemed unwilling to link their fishing activities to the decline, though not entirely unaware of the problem.

In Otres and Tumnup Rolork, there has been little, if any, dissemination of information to community members outside the committees. Based on focus group discussions, few people – particularly women – were aware at the time of research that either the flooded forest protection communities or the district fishery had been established. In Otres, of 16 women focus group participants, none were aware of the flooded forest protection community. In a separate meeting, two of ten men said they were aware of the district-level fishery, but did not know when or why it was established, or who the committee members were despite having been invited to the meeting by them.

¹⁰ In Tumnup Rolork commune, for example, the community leader is the village chief from village I, the deputy is from village II, and the chief of village IV is also a member of the committee.

In Kampenh commune, focus group participants had more awareness about the existence and goals of both the flooded forest protection community and the district fishery. Kampenh is smaller than Otres and Tumrup Rolork (320 families versus 1,170 and 1,415, respectively.) It is home to two or three of the district's most active community fishery supporters, and was organized with greater public participation. Furthermore, the district committee elections were held in Kampenh, and it was mostly Kampenh residents that voted and participated in the election. According to the commune-level committee in Kampenh, there are 80 members (out of the 320 families in the commune), all of whom joined when they were invited for the district and commune committee elections. Community members who were not involved in the election have not yet been given the opportunity to become members.

- **Different perceptions of what a community fishery is for.**

Without stronger dissemination and extension activities by committees and supporting institutions – whether the Department of Fisheries or NGOs – community members will remain uninformed – or, more likely, misinformed – about the purpose of the flooded forest protection communities and the community-based fishery. Those who have joined, as well as those who want to join, have widely divergent views on the benefits of the protection and fishery communities and of membership. Of the two, however, it is the community fishery that generates more problematic views.

“Before, I used trawlers and owed money to Acleda [microcredit bank] and middlemen. Then I switched to crab nets. I can pay my debt back little by little. My situation has improved.” – woman fisher in Tumrup

Everyone, whether or not they are aware of the flooded forest protection communities, seems to agree that protecting mangroves from land developers is a worthwhile priority, or, in any case, that it will not harm trawler fishers' livelihoods. Fishers who use traditional gear, like crab and shrimp nets, and who rely on the mangroves are more likely to proactively support the protection communities and district fishery than are trawler fishers because they have the most to gain and the least to lose. By protecting mangroves and

flooded forest in which they fish, they will experience the most immediate benefit from improved marine resources. Since they do not trawl, they neither have to give up their current gear nor are they subject to fines from either fishery officials or other fishery communities. Nonetheless, some trawler fishers do support the community; three of 11 district fishery committee members use trawlers. There does not appear to be any conflict between fishers from Stung Hav who use traditional gear and those with trawlers (because the trawlers fish elsewhere).

Among the most popular reasons given for why people want to be members was because they expect to improve their livelihood in the form of support for *alternatives to fishing*, like animal-husbandry or factory jobs. Several respondents said they were afraid that if they did not become members now, then they would not be entitled to any support from NGOs.

Members that do trawler fishing also believe that when they are arrested for illegal fishing, the committee will help negotiate lower fines for them:

“The fishery will help to solve our problems when we are arrested. For example, if my husband is arrested by Chroy Svay [fishery community], the committee leaders will represent us and talk to the other community's leaders. They will explain that we are poor and get the fines reduced.” – woman fishery member, Kampenh

Following negotiations, other community fisheries have fined boats as if they had a smaller engine, reducing the payment. Yet, this is an exception rather than a rule and is not restricted to Stung Hav fishery members.

Different perceptions about the purpose of the community fishery and the benefits of membership are not only a result of the lack of dissemination activities. Committee members also contribute to misperceptions. The belief that members will be entitled to a discount in fines is being fed by the district committee. As an incentive for illegal fishers to become members, the district committee and Kampenh committee have said that the former can help members to negotiate a lower fine

when they are arrested. The committee – with support from NGOs – is trying to convince community fisheries in Sre Ambel to accept an arrangement whereby if they arrest a Stung Hav fishery member, the first time is “free”, the second time is half the stated fine, the third time the full fine, and the fourth their membership is revoked. The committee is not actually able to deliver this because the community fisheries in Sre Ambel have so far rejected the proposal. Consequently, when members are arrested, they still pay the same fine. According to the Stung Hao fishery committee leader, “We are trying to convince other fishing communities to reduce the fine for our members.” As the arrest of trawlers continues to happen to members and non-members alike, both have begun question the utility of the community fishery:

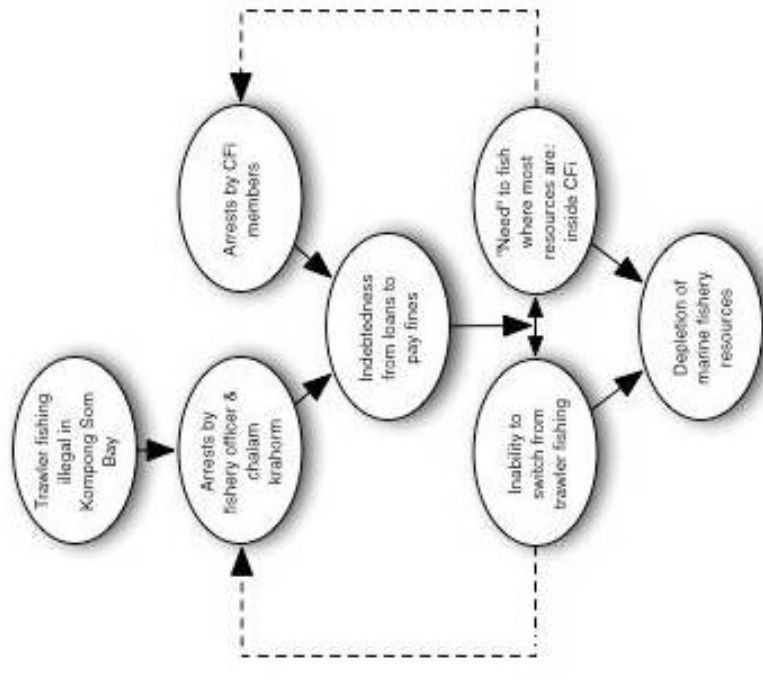
“We stopped believing in the community fishery because we see that members still get arrested when they use trawlers. We both still pay the same fine of 400,000R....Even most members don’t believe that the fishery community can help them. If members paid a smaller fine, then we would also join.” – trawler fisher, Tumnap Rolork

Nonmembers are encouraging members who use trawlers to quit their membership because the committee cannot assist them when their boat is arrested. Moreover, since the district level committee has responsibility for negotiating with Sre Ambel fishery communities, members with trawlers see little reason to go to the commune-level committee and instead bypass it straight to the district level. From the perspective of most trawler fishers, the commune level communities are irrelevant. Few people think beyond their individual good to that of the community as a whole. They want to improve their own livelihoods, but the majority of respondents seemed Unwilling to place limits on their own behavior.

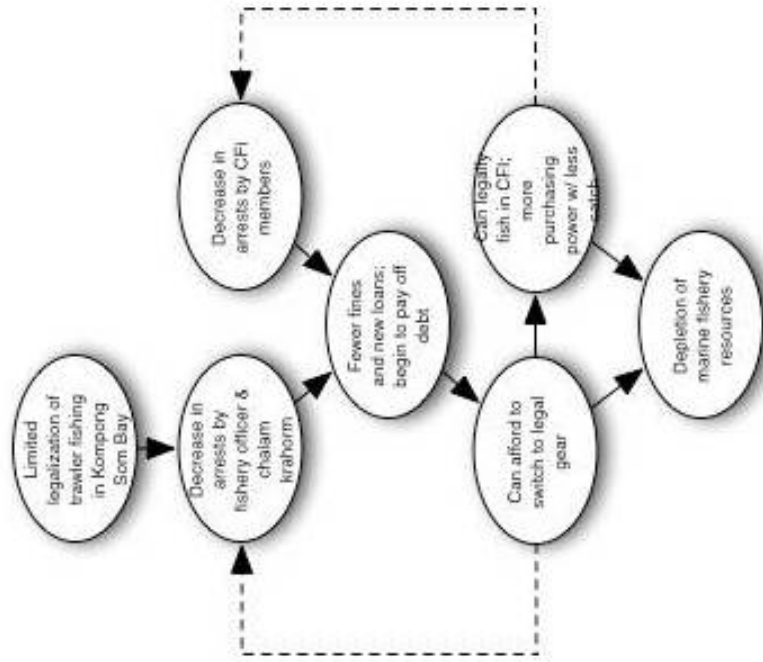
Box: A Case for Limited Legalization of Small Trawlers in Kompong Som Bay?

In order to meet the needs of trawler fishers and to provide an incentive for them to support the community fishery, the Stung Hav fishery committee wants to demark an area in which trawlers with less than 25 cc engines would be permitted. On one hand, such a zone could (i) support local community efforts to protect their resources, provided nets met legal standards, by (ii) creating an incentive for trawler fishers to remain inside the permit zone, while (iii) cushioning their livelihoods until other options can be identified. On the other hand, a legal area is likely to face stiff opposition from government, especially fishery officials who derive revenue – both official and unofficial – from fining illegal fishing, though it might encourage fishery enforcement actors to redouble efforts to patrol within community fishery boundaries. Second, if such a zone were only open to Stung Hav fishery members, it would exclude the large number of trawlers from Thma Sa; advocating for the zone in the area of Kompong Som Bay excluded from fisheries makes more sense. Third, trawlers may accept the risk of continuing to illegally fish in Koh Kong community fisheries where there are more resources.

Negative Debt-Illegal Fishing Cycle



Positive Debt-Alleviation-Legal Fishing Cycle



B. The strengths and limitations of different community organizing strategies

Organizing the community fisheries in Sre Ambel and Stung Hav has involved a range of different strategies employed at different phases of the process. These strategies included active non-violence training, advocacy, networking, establishing committees, drawing up bylaws and regulations, negotiation with other communities, and promoting alternative livelihoods.

● **Active Non-Violence**

AFSC's "Local Capacities for Non-Violence" project, now called Khmer Ahimsa, began working with fishers in Chhikhor Krom in 2000 to use peace-building methodologies to help address injustice and conflict over resources. Khmer Ahimsa worked in parallel with AFSC's ISL component facilitating establishment of the community-based fishery. It provided trainings to community members to increase their understanding of social justice and their capacity for non-violent action. Initially, the trainings were held in Phnom Penh because villagers were afraid to learn in Sre Ambel. According to the senior peace trainer of Khmer Ahimsa, "Later, when the trainees came back, they dared to complain to the police and they had less fear."

In Chhikhor Krom, especially in An Chi Eut and Ksach Krahorm villages, ANV training increased men and women's confidence to address problems with natural resource management, rather than to "sit still." When police did not adequately respond to requests for intervention, community members complained to local authorities about not being able to catch enough food due to over-fishing. When government intervention was not enough, they made "citizen's arrests" of trawlers and pushboats. Since the trainings were run in parallel with organizing the community fishery, community members were able to directly apply non-violent action and other new knowledge to this process.

"After the training, we started to use what we learned. Before we used more violence. For example, when we would do arrests, we used to fight or hit the illegal fishers. There was also more domestic violence by men beforehand. But afterwards there was less." – woman fishery member, An Chi Eut.

Chroy Svay, however, did not have the same access to ANV training during its community organizing process. This is in part because Chroy Svay was not a direct target area of Khmer Ahimsa, by then operating as a local NGO, but also because there was less need to use ANV to convince officials to acknowledge the communities fishing rights and support the organizing process. The AnChiEut organizing had already set a precedent for establishment of community fishery and the ANV training, which had been essential to gaining official attention, was not seen as being so necessary. Although one ANV training was held in Chroy Svay, Khmer Ahimsa worked indirectly there, for example, in response to conflict. Community members involved in organizing the fishery therefore did not have as much contact with ANV, nor were they as able to apply this knowledge and skill to the organizing process. Villages in Chroy Svay commune were more likely than their counterparts in Chhikhor Krom to "sit still" in response to illegal fishing, or to use violence as a deterrent.

The difference in ANV training is reflected not only in the level and nature of activism of men and women between Chhikhor Krom and Chroy Svay, but also within. Comparing the three villages in Chhikhor Krom, An Chi Eut has been the most active in "raising its voice." Following recognition of the fishery, it has also been most active in patrolling. Though there have been incidents of violence – some serious – community members have largely been able to "turn away" from violence instead of fighting back. The ANV training location for community members was in An Chi Eut village, which favored their participation in greater numbers than other villages. Khmer Ahimsa staff said,

"We invited people from all the villages, but fewer people were involved from the other villages. Because fewer people are aware, there was less dissemination. In An Chi Eut, there were more people, so they worked together better and did more dissemination."

Yet, fishers also acknowledge that active non-violence cannot solve all of their problems. It has been more effective at securing concessions from government than it has been at stopping illegal fishing. When community members began doing patrols, encroachment by illegal fishing boats decreased because other fishers were afraid of being stopped by the patrol team. Later, however, community members said that trawler and pushboat fishers realized that the patrols were not armed and did not use violence, so they were less afraid and more likely to resist.¹¹ Most trawlers and pushboats operators in Stung Hav and Thma Sa said that they are willing to run the risk of getting stopped in order to fish inside the community fishery boundaries. Inside, members' patience is not unlimited and some members are beginning to question non-violence and ask for the right to defend themselves. ANV has helped reduce the tendency to violence, but negotiations and other approaches are also needed to address the source of conflict.



Trawler fishers, Thma Sa village, Batum Sakor district (Kay Lek)

● Formalization of Fishery Management: Committees and Bylaws

Committees

A key goal of community-based fisheries is for community members to take greater control over local natural resource management. Advocacy, non-violence, negotiation with authorities, and other tools may help communities attain this right, but alone they are not enough to manage the fishery.

Fishery members elect village committee members to represent them; to look after fishery finances, to organize patrols, to negotiate with other communities, to liaise with government officials and NGOs.¹² Candidates with the highest number of votes become officers (leader, deputy, and treasurer, respectively). The officers in turn elect regional committee representatives from among themselves.

Beyond the internal dynamics between fishers and committee members that affect community solidarity, there are two issues related to committees generally: first, the creation of hierarchy among community members and, second, the shift of responsibility by community members onto fishery committees.

Fishery members directly elect fishery committees at the village level. They entrust the committees with responsibility for making decisions on their behalf. The committee leader has the most decision-making authority; at the regional level this responsibility impacts on hundreds of families. Some leaders are inclusive, but others are not. Regular meetings with fishery members helps ensure that decisions reflect the will of the community, but such meetings – which are few – are no guarantee. If leaders are not consultative, other committee and fishery members have limited recourse. Without misconduct, members have little basis for calling early elections. This is a pitfall of elected leadership anywhere – the traits that get someone elected – e.g., outspokenness and

¹¹ In Ksach Krahorm village, confidence in the community fishery was shattered as a result of a run in between a pushboat and a patrol team. Since a member of the patrol team shot and killed the driver of the pushboat, it is not active non-violence that failed fishers, but the use of violence.

¹² For affecting relations between community members and fishery committees, see III.C earlier in this report. How committees function and their impact on solidarity is closely related, though they are not entirely intrinsic faults of committees as an institution.

willingness to act – are not necessarily those best suited to managing the community fishery, e.g. willingness to listen or good facilitation skills.

Concentration of authority can also be problematic when the committee leader is not engaged in management of the community and does not take decisions, as discussed above. Committees can actually result in the disempowerment of community members. In Chroy Svay, for example, fishers in the three villages researched were nearly unanimous in saying that if there was a new election they would want to replace the current leader, but that they did not dare to call for a new election on their own. For the average community member, control has been transferred from one unaccountable institution, the government, to another, the committee. Clearly, there are degrees of difference between the two, but the effect can be the same, as highlighted by fishers in Saray, who said,

“We can work together [with other villages] only when told to by the community leader.... We never go together to protect fishery resources because the leader never tells us to go. When we see illegal fishers, we report it to the community leader, but he doesn't take any action.... When the illegal boats come to remove our nets, we dare not confront them because we have no support from the community leader.”

Or, as the situation was well summarized by a fisher in An Chi Eut, “Without the engine, how can the cars go?”

How committees operate is not responsible alone for the problems associated with the introduction of formal systems of fishery management. The election of committees created an institution responsible for managing the fishery. Community members therefore expect committee members to fulfill related responsibilities. But community members also have high expectations about what the fishery committee is able to do – especially if community members decrease their own resource protection or conservation activities. This is most noticeable in Chhikhor Krom, where successful resource management has increased fish and other marine life, but where community members are more focused on benefiting from the increase. They are less free to cooperate with the committee, for example going on patrol, while expecting the committee to take action against illegal boats.

In Chroy Svay Lech village, fishers recounted how prior to the fishery, they would go to the police for help if there was a problem with trawlers and pushboats. Now, they request help from the village committee or the regional leader. There is an expectation that the committee will get police cooperation, even though committee members often face the same problems getting cooperation that the village faced before. As the village committee leader said,

“Responsibility has been put on the committee. How should we contact the fishery officer about protecting our natural resources? How can we educate members? How can we prevent illegal fishers? ...Who is responsible if someone is injured during patrol? Wives accuse the committee of inviting their husbands, so it our responsibility. We have a lot to think about...”

Chroy Svay is still a new fishery and it is close to Stung Hav. Even when the committee functions well, trawlers and pushboats still come. The high expectations of community members are working against the committee and the fishery. People are losing confidence even though the problem of outside fishing cannot be managed by the committee alone, or even by the committee and community members alone.

Bylaws

By outlining the conditions of membership, decision-making structures, who is entitled to use fishery resources within the fishery and under what circumstances, as well as what enforcement measures fishery members are entitled to take, fishery bylaws define much of how the fishery works and what is and is not permitted. They establish a level playing field, giving both members

and non-members who comply an equal opportunity to benefit from fishery resources without restricting each other's right of access.

To draft bylaws, community members from different villages needed to identify, discuss, and agree on joint principles of governance. This required and initiated greater communication among community members about resource protection than existed prior to organizing. Bylaws are a powerful tool in empowering communities, as their recognition by relevant government authorities not only demonstrated that communities themselves can make legally binding rules governing their resources, but that they can enforce these rules as well. According to the leader of the Chroy Svay regional committee,

“In 2005, community members did not have trust in the fishery community because nothing was being done to stop illegal fishers. We were waiting for approval of the bylaws and boundary demarcation. Without this, we had no right to stop illegal boats. Then in 2006, we got approval and we started to change our mind because then we could patrol.”

In some respect, it is the bylaws that maintain the separate villages within the fishery as a community: knowing that everyone has agreed on the rules and is bound by them is a strong incentive to continue working within the bylaws. But it can also be a source of frustration if there is not adequate support from government and others. This is important in Chroy Svay, where there is increasing frustration among fishers at the continued violation of bylaws by trawlers and pushboats.

Chroy Svay fishers expected that outside fishers would follow their bylaws. But trawlers and pushboats do not, so fishers are beginning to question the utility of bylaws.

“We still support the community fishery because we have the bylaws... We cannot do business [under the present conditions], so if there was no community fishery, we would fight back. If there was no community fishery, everyone would go.” – fisher in Nisat village

Without greater cooperation from the fishery officer, provincial and district authorities, NGOs, and other communities to help enforce the bylaws, fishers say someone may soon be killed and the community fishery will break apart.

● **Advocacy**

Community members perceive “advocacy” as “confrontation.” They are therefore wary of it. Government officials or other stakeholders can have a negative reaction to community-driven issues, which can result in less engagement rather than more, as well as entail personal risk.

Yet, in all three fisheries, community members have used advocacy. Discussions with government officials were an essential and, through repetition, often effective means of conveying people's situation and getting a response – such as police intervention in Sre Ambel.

In Stung Hav, focus group participants included newspapers and radio as important stakeholders when they have problems because they can raise awareness of the “real situation” affecting them to others. Likewise, in Thma Sa, fishers complained that no media had come to interview them about their situation, so their community has received less development assistance from NGOs.

The idea of accountable public office is still relatively new in Cambodia, but the commune electoral process was used to great effect by community members in Chhikhor Krom. Prior to the 2003 elections, the commune chief was resistant to recognizing the community fishery. Fishers met with the commune chief several times to convince him, but were unable. There was a lot of frustration and anger on the part of community members. Later, the commune chief came and asked to negotiate. According to the former regional leader, “We pressured the chief of the commune by

saying that if he did not approve the community fishery, we would tell others not to vote for him in the election. He approved it before the election.”

Emboldened by their previous experience, some community members are now considering using a similar tactic in the 2007 commune elections or 2008 national elections to commute or reduce the sentence of the patroller in Ksach Krahorn imprisoned for the accidental killing of a pushboat fisher.

Electoral leverage, however, can also be seen as a threat to powerholders. There is risk that the strategy could backfire. In Taben, one committee member disagreed both with the cause of the commune chief’s opposition and the attribution of his approval to electoral pressure. Rather, he said, the chief had reservations that the community fishery was political, and when he was satisfied that it was not, he willingly gave his approval. This links with the widespread perception among Cambodian government officials that any activity supported by an NGO, especially one that makes a community more vocal and demanding, is a partisan activity.

- **Negotiation**

Community members and NGOs alike raised the importance of negotiation, with support from local authorities and NGOs, in solving problems between different communities. Solving problems according to the law – i.e. through the court systems -- is not seen as resulting in the best solutions.

An often cited example was the outcome of the attack in February 2005 by trawler fishers from Stung Hao, during which they seized back their arrested boats from An Chi Eut. The attack involved property damage, looting and some injuries – though not major – to community members. Rather than take the case to court, district and provincial authorities supported NGO-led negotiations between the two sides. Since the violence concerned the duration that the boats were held, An Chi Eut fishers agreed not to hold the boats as long. [They had refused payment of the fine as a deterrent to fishing, because they were angry about repeat offences.] It was also agreed that the fishery officer would resolve arrests at the district rather than provincial level, so that arrests could be solved faster. The issues involved are not completely resolved. Community members in An Chi Eut would still prefer to keep the boats longer, but realize that it could lead to violence, so it is better to solve the situation as soon as possible. According to the ADHOC representative in Sihanoukville, which was involved in the mediation as part of SNAN, “After the negotiations, Stung Hav fishers are more willing to discuss their problems with NGOs, rather than solve it on their own.”

- **Networking**

In all three community-based fisheries, members were unanimous regarding the benefits of networking with each other and other communities. Networking enables community members to share information, knowledge, and experiences. During the community organizing phase, they can learn organizing methods and technical expertise, apply it their own situation, as well as trouble-shoot. Through networking, they also come to understand that their situation is not unique, providing solidarity with others in their shared experience.

Networking can also diffuse conflict between fishing communities. The creation of a coastal fishery network for Kompong Som Bay, facilitated by FACT, has provided a forum for traditional fishers and trawler fishers to discuss and negotiate, channeling frustrations away from violence.

- **Alternative Livelihoods**

Whether fishers face decreasing resources, arrests by fishery authorities and community-based fisheries – as in Stung Hav, or encroachment of trawlers and pushboats – as in Sre Ambel, alternative livelihoods would lessen dependence on fishing. In Saray village, for example, illegal

fishing is less of a problem for people because they have more land for rice cultivation and plantations (though clearing land has raised other issues, such as problems with the environment officer). In Chhikhor Krom there has been some success with animal raising for those fisher families that had access to land [many of the families live in stilt houses over the water]. However, as fishery resources increase, interest in alternative livelihoods has declined.

Community members in Stung Hav have no land. They are highly dependent on trawler fishing. Women consistently said they want NGOs to provide livestock. The belief that fishery members will receive such assistance is a popular motivation for joining, even though people also say animal-raising is more difficult than fishing because they cannot get immediate benefit. Stung Hav has also been identified as an industrial area – over 5,200 hectares have been set aside to build a duty-free port – many fishers say that they will quit trawling if they have factory jobs. Nonetheless, the transition from fishing to industry is likely to be a difficult one, particular if wages and working conditions fail to meet the high expectations of fishers.

C. The involvement of women and their role at different phases of the community organizing process

Women's participation and leadership in organizing the community fisheries differs among the three case sites, as well as across villages within case sites. The nature of participation has also changed during the course of the organizing process.

1. Chhikhor Krom and Chroy Svay

● Pre-establishment: Advocacy and Organizing

In Chhikhor Krom and Chroy Svay communes, community fisheries were initiated in response to participatory rural appraisals (PRAs) conducted by AFSC. Women focus group participants said they wanted to establish community fisheries in order to stop illegal fishing by trawlers and pushboats, as well as to protect fishery resources.



Woman sorting blood cockles, An Chi Eut village, Sre Ambel (Pen Somony).

Women have a range of reasons for supporting the community fishery. Fishing is a principle source of income for families in both communes. Rice cultivation and upland gardens are additional means of income, though not all villages have sufficient land for these activities, which increases their dependency on fishing. Women in several villages described fishing as “men’s work,” saying that they do not go fishing in the sea but are dependent on the income that their husbands and sons earn from this activity. Nonetheless, though it is men who daily go out on fishing boats, fishing is a shared responsibility with different roles for men and women. Women help remove the catch from the nets, as well as repair damaged nets, and it is usually women that sell the catch to the middlemen. Some women also engage in small-

scale fish, shrimp, and crab catching near mangrove forests. Their livelihoods and that of their families are negatively affected by the decimation of fishery resources, as well as the destruction of shrimp and crab nets by illegal fishers.

Injury and death of male family members who fish, including from violence with outside trawlers and pushboats, also has a severe impact on women’s livelihoods. In addition to lowering family income, it is also likely to result in greater responsibilities for women and girls to take on increased income-generation activities while maintaining care for family. Medical treatment, as well as damage to boats and nets can drive families into indebtedness to money lenders from which it may be difficult to escape.

Women said they were involved in organizing and encouraged their husbands to support it as well. They took part in trainings about natural resource management and community fisheries, as well as active non-violence with encouragement from AFSC and Khmer Ahimsa. As a minimum measure, the process facilitated by AFSC to establish community fisheries resulted in space for women to participate. For most women, this consisted of collecting thumbprints from other villagers in support of the fishery community, attending meetings related to community organizing, including discussion of community bylaws. They disseminated information to other women and to their family members, helped place boundary poles, and voted in, as well as stood for, committee elections.

Active non-violence training played a critical role in increasing the confidence of some women to engage in advocacy on behalf of the community fishery.

“I got three trainings from Khmer Ahimsa. Before I applied the lessons from ANV, I didn’t think that they were useful, but then I realized that women could do advocacy without violence and solve problems peacefully.” –regional fishery leader, Chhikhor Krom.

In Chhikhor Krom, where ANV training was offered as part of the community organizing process, several women took part in multiple trainings. As a result of this experience, they played a critical role in encouraging other women to speak out and voice their frustrations to local government officials prior to the formation of the community fishery. Nineteen women from An Chi Eut and Ksach Krahom villages organized to meet the district governor of Sre Ambel in order to voice their frustrations about illegal fishing. After the meeting with the district governor, police were sent to An Chi Eut for several days to control illegal fishers. At the time of the demonstration to the district governor, women said that they were not worried about bringing their complaints:

“Many women wanted to go, but the commune chief talked the women into sending a smaller group. After we complained to the district governor, the police came to ask us who told us to do this. We told them that no one came to tell us. We did it ourselves because we were angry at illegal fishing.” – woman fishery member, An Chi Eut village.

The women involved in organizing the demonstration later were elected to village committees. When both village and regional committees were reorganized due to corruption, women were elected to leadership positions at the regional level because they were perceived as honest and working for the good of the community rather than for their own self-interest. The previous regional leader made unilateral decisions without consulting members or other committee members; now the leadership is more consultative, though some patrollers accuse it of not being active enough.

There was no comparable advocacy or organizing involvement by women in Chroy Svay commune. The fact that only one ANV training was held in Chroy Svay likely hindered the emergence of women leaders there.

Women in all communities said they participated in community organizing because they felt they had a stake in the outcome. A female committee member in Chroy Svay Lech village said, “It was important to have men and women participate in making the bylaws because we have equal rights to speak our ideas and to control natural resources.” Yet, in general, women’s participation was a product of NGO facilitation. With official recognition of the fishery community and establishment of committees, direct involvement by AFSC decreased and with it opportunities for women’s participation, reinforcing that women’s presence and participation are not the same if women’s capacities to utilize these opportunities have not been likewise increased.

- **Post-establishment: Less space for participation**

With recognition of the fishery, NGO-facilitated establishment related activities – trainings, discussions about bylaws, dissemination meetings, elections, etc. – stopped. This has been replaced by day-to-day leadership and management by the committees. AFSC staff provide support to committee members to increase their capacities in this area, as well as mediation with other communities. With this shift, women’s participation has changed. Broad community engagement has given way to the formalization of management structures, the village and regional-level committees.

Consequently, women’s involvement in decision-making has not been maintained. Women in Taben village, for example, said that they had more participation when the community fishery was being established because at that time they were asked “to participate in meetings and help make decisions.” Their participation was actively sought. Now, they said, it is rare that they are invited to participate in meetings either by the fishery committee or by NGOs: “We would like to be more involved as members, like going to meetings and giving ideas.”

Community fishery membership is by household. In the past, women often attended community meetings in place of their husbands, acting as the de facto representative of their family. Fishery committees on their own have not organized regular community meetings where members would have an opportunity to voice concerns and ideas. Women – and men – outside of the committee structure ask why, but do not demand more involvement. As one woman in Taben said, “I’ve talked to the committee about having more meetings, but it is up to the committee to act.” Although community members expect fishery committees to continue the participation as experienced during the organizing process, involvement in decisions related to the community fishery is apparently regarded by most community members as a privilege rather than a right.

Asked whether women are able to freely raise ideas and make complaints to the committees, women stated that it is easier to do so when there are women committee members because they can go directly to the women members, who are more likely to understand their problems and be more sympathetic.

“Having women in high positions is good because after a meeting, they can tell other women, who can then give the information to their husbands. If men are leaders, then they do not speak as much to women. If the whole committee is men and go talk to women, then maybe their husbands feel jealous.” – woman fishery member, An Chi Eut village

Each three-person village fishery committee has one woman (An Chi Eut has two). The five-person regional committee in Chhikhor Krom has two women, including the leader; the six-person regional committee in Chroy Svay, however, is all men. As committee members, women have a nominal role in decision-making, but the extent of this role varies. In fact, women committee members are likely to be elected as treasurers because “women are good with money.” Within the committees, real decision-making power is closely held by the leader, who usually does not delegate authority, even in his/her absence. This means that where the leader is male, women – and other men – on the committee have a limited voice. The Chhikhor Krom regional leader began with and still maintains the position of treasurer within the An Chi Eut village committee, though as the regional leader she appears to share a greater decision-making role with the village leader. She said that men fishers do listen to women on the committee: “Even with men, if they have problems, they come to the committee... If the ideas that the committee has are not good, then they won’t agree to it and will not do it, but if we discuss a good idea, they accept it.”

In Chhikhor Krom and, to an even greater extent, in Chroy Svay, committee work is thought of in terms of protecting fishery grounds from outside boats – organizing members for patrols, notifying authorities when there are patrols, collecting and managing fines from illegal boats, and reporting on these activities. Although men and women are affected by illegal trawlers and the destruction of fishing nets, it is men who go out in fishing boats and place these nets. This means that these problems are directly experienced and dealt with by men. In Chroy Svay, women have little



Women’s Focus Group, Otres commune, Stung Hav district (Kay Lek).

influence beyond whether they encourage or discourage their husbands to go on patrols, though they exercise considerable leverage here, directly affecting the ability of the community fishery to enforce its boundaries. In Chroy Svay Lech village one woman said, “Compared to the beginning of the community fishery, we participate more by encouraging our husbands to go on patrol and to guard the illegal boats when they are arrested.”

Women are never involved in arrests of illegal fishers and do not directly participate in the decision to make arrests. Likewise, it is only the committee that is involved in negotiating with illegal fishers regarding fines. Previously, during

the period of non-violent ‘citizens’ arrests’ in Chhikhor Krom, women were more involved – they would inventory the gear on boats brought in by patrollers and bring food to the arrested fishers. This practice appears to have stopped now that the committee and the patrol have become formalized. Now, if there are women on the committee then they may participate, as men and women both believe that women are more calm speakers and “can use softer words, not violent words like men.” If they participate in negotiations, they can pacify angry fishers so the situation is less likely to escalate into violence. In Saray two women community members extended this to include patrolling, saying that although they are afraid, if they were given the opportunity, they would go because then there might be less likelihood of fighting.

There are several constraints to more active participation by women, including lower levels of literacy and educational attainment, obligations associated with child-rearing and household work, and the related difficulty traveling away from home. Women were quick to point out that they are “not smart enough” to take leadership positions in the community fishery. In An Chi Eut, one woman stated that other women in the community are not as smart as the woman who is the regional leader. According to other women in the village, their leader disseminated information to other community members after participating in trainings and workshops, as well as gave ideas about how to solve problems with other fishers. For example, after she went on a study tour of community-based fisheries in Sri Lanka, she shared her knowledge with the community. In contrast, in Taben, women said that when the committee elections took place, five women stood, but they did not volunteer by themselves to stand for election – other community fishery members nominated them:

“Women themselves do not want to stand, but others can appoint us. Women are busy with housework. If we become committee members, then we have to spend time on this and have less time for our other work.” – woman fishery member, Taben village

The research team was also told that, “Women outside the [Taben village] committee are less educated. The committee can advise us how to speak and how best to raise our problem.” In Chroy Svay Lech, women said, “We ourselves would not run because we are illiterate.”

Women said they would like to be more involved in the community, but that their lack of education is an obstacle. In Nisat, for example, the research team was told that, “Women want to become members of the fishery committee, but we don’t have enough education. Right now, there is no woman on the [village level fishery] committee.” In fact, one woman was elected, but her husband has taken over her position. According to another woman, the woman’s husband is more literate than his wife. He was able to take her job without opposition because people thought he would be better suited. Indeed, without literacy, women in leadership positions remain dependent on those who are literate – often men – restricting their confidence, independence, and authority.

With fewer literate women than men, fewer women had sustained participation in meetings and workshops, and thus fewer opportunities to build more confidence to speak out. More literate women tend to be chosen to participate in trainings and workshops; if there are low levels of literacy among women, then they are less able to participate – even if they attend trainings. Women also self-select out because they perceive their low levels of education to be obstacles to participating and understanding¹³. As a result, women do not have a voice even when the community fishery begins to suffer from problems.

2. Stung Hav

In Stung Hav, organizing the community fishery was a piecemeal process. It combined efforts by different government institutions and NGOs, resulting in different levels of women’s involvement

¹³ In fact, literacy – especially functional literacy – among men is also extremely low in these communities. Although almost all adult men claim to be literate, they have rarely gone beyond 2nd or 3rd grade. There are not many who can write more than their own name and read more than a very simple short document. Evaluation teams for community forestry found that male committee members in fact could not read and understand a fairly basic instruction from the forestry administration.

depending on where they live in Stung Hav. In Tumrup Rolork and Otres communes, “flooded forest protection communities” – the “base unit” of the district fishery – were established by the commune councils under the Seila Program. Here, women and men have less knowledge about the formation and purpose of both the flooded forest protection communities and district-level fishery (comprising the three protection communities). Households close to mangrove areas, which are more likely to utilize this resource were generally more knowledgeable and more supportive than those that were farther away or used trawlers. The protection communities were not the result of community-led organizing; there appears to have been little if any consultation with residents of the area as part of the process. It is therefore not surprising that people are uninformed about the protection community. Women were not excluded from appointment to the protection committees, but representation is largely symbolic. They do not appear to wield much influence within the commune committees. As previously noted, several women stated that they were selected for the committee without their knowledge and, in at least one case, against their will.¹⁴

In Kampenh commune, the flooded forest protection community was facilitated by NGOs from the Sihanoukville NGO Advocacy Network with support from Star Kampuchea, which also provides support for establishment of the community-based fishery at the district level. From 2004, these NGOs have worked with a group of 25-30 people from the three communes concerned about declining natural resources, as well as conflict with other fishing communities around Kompong Som Bay. Among this initial group of “activists” were a handful of women whose participation, in turn, was encouraged by one woman who is now the deputy leader of the district fishery committee. Kampenh, where this leader lives, is smaller and has less population than the other communes in the district. Combined with more organizing work by involved NGOs, including training and network activities, there is a higher level of awareness about the flooded forest protection and fishery committees, as well as the relationship between the two.

The female leader in Kampenh also enlisted another woman to help her. They discussed the fishing situation in Stung Hav with the media. Together they encouraged other women in Kampenh to participate in community organizing activities, to participate in the commune and district committee elections, and to stand as candidates for the committees. Three women ran and were elected to district committee seats and six for the Kampenh commune committee.

Committee leaders, in particular the district fishery committee leader – like the regional leaders in Sre Ambel – wields the most power. The role of other committee members is more to discuss and perhaps offer ideas, but decision-making is not a group process. The Kampenh leader reports that although she is the deputy leader of the district committee, “Only the district leader does the work of the committee – the other members do nothing because he doesn’t invite other committee members to participate in meetings, so we know less about what is going on.”

As in Sre Ambel, women with higher educational attainment and literacy are more likely to become leaders in the organizing process. They have greater opportunities to join training activities by NGOs and other institutions, e.g., the Department of Fisheries. They better comprehend this information, make use of it to greater effect and disseminate it to other women and men. The Kampenh leader was already involved in the community network of the NGO Bice; she had developed advocacy and other skills and had experience using them to help try to solve community problems. She had more confidence and women went to her when they needed advice or help. Her close relationship with the commune council chief of Kampenh, also a woman, has also helped her to raise and get responses to community issues.

According to her, women have an important role in community fishery because there are certain issues that men cannot solve, or for which women are better suited. For example, it is more effective for women to do dissemination activities with other women. During the committee elections, she said that,

¹⁴ See note 22 above.

"If men explained [why women should run], then women might not believe them or not understand. Because women spoke with other women, more went to go stand for election. For example, if [Kampenh committee secretary] Mr. Kith An invited them, but I did not go, some women might not have come."

Although she is respected by the other committee members and is one of the most active supporters of the community fishery, most men in Stung Hav have reservations about women's involvement. She has observed that,

"There is only a small number of men who want women to be committee members. Most men think that we should not play a role. Men pay less attention to me, even though I am also working for the community."

According to women in Kampenh, they are the ones responsible for negotiating when their husbands are arrested by fishery authorities or by the community fisheries in Sre Ambel and have to pay a fine. It is women who borrow the money and go negotiate for a lower fine. Women say they are not afraid of going despite tensions with the other communities and that they believe they are more effective at negotiating than men are. One woman in Kampenh said that even boat owners who rent trawlers to fishers in return for a share of the catch – and therefore would be available to pay fines themselves – sometimes ask their wives to take care of the negotiations. In Otres, however, women said that while they borrow the money, they never go to pay the fine themselves. Asked why men oppose women's more active role in the committee if women play such an important role in negotiation, the response suggested traditional gender barriers: "The reason more women are not on the committee is because they are too busy with housework and helping their families," or, as another woman said, "Nobody told us to do activities for the community."

D. The connection between community fisheries and rights-based approaches to development, and the understanding of human rights by communities and officials in relation to fisheries issues.

Community based fisheries can rapidly improve natural resources and the livelihoods of people dependent on them. By helping community members, both men and women, to take greater control over management of these resources and of their own livelihoods, fisheries also can help equalize power between communities and other stakeholders. This, in turn, can legitimize their efforts for change, especially when community organizing is part of a process of helping community members to assert their human rights. As FACT notes, “until people feel their rights are secure, communities have little motivation to develop their resources or to shift to sustainable practices.”¹⁵

For poor fishers and their families, the immediate priority is usually basic needs. They may not be thinking beyond the immediate goal of improving their livelihoods – more food for their families, more money in their pockets, more education for their children. But in order to secure their rights, fishers need more than just a community fishery. Without addressing longer-term issues of rights, empowerment of men and women is superficial. Clearly, this is a long-term goal. There are limits to what community members can safely demand as their rights vis-à-vis the government and other stakeholders. Indeed, as community members’ wariness of advocacy suggests, it remains dangerous for them to seek rights from power holders who are often above the law due to corruption and political connections. It is understandable that they still have reservations about speaking “too loudly” to district and commune authorities, wealthy land developers, and even village chiefs and fishery committee leaders.¹⁶

The extent to which community members are able to stand on their own is determined by how much NGOs enable them to do so. In Sre Ambel, community fisheries have resulted in greater local control of resources, increased marine populations, and lessened their dependence on AFSC for livelihood assistance. But community members are still heavily reliant on AFSC for problem-solving. At present, the community fisheries would collapse under the weight of the issues identified in this report if support was withdrawn. As the Chhikhor Krom commune chief described,

“The community fishery is like a baby. The government is its father and the NGO is its mother. Without them, it cannot stand on its own two feet.”

In order for community fisheries to become self-sufficient and sustainable, long-term NGO commitment is required to help empower community members so that, in time, they can stand on their own.

Cognizance of one’s entitlement to rights is a critical component of empowerment. In each of the three community based fisheries examined in this report, community organizing has helped to empower men and women, giving them more confidence to speak out. Though a few women have actively asserted the rights of their communities through the process of organizing, they have not claimed *their own rights*. Meanwhile, women in general in these communities are less aware of their rights, have fewer opportunities for participation, and fewer opportunities to develop their capacity than men from their communities. The right of rural women to education, formal and informal, and to training is important in securing women’s meaningful participation and empowerment not only in fishery issues, but all aspects of their life.¹⁷

Communities have taken a greater role in calling for rights, but they associate having rights with whether or not they are given them by government, rather than as pre-existing rights to which they

¹⁵ FACT, Tonle Sap Watch Newsletter, Issue 5, July – September 2005.

¹⁶ For example, in Taben, committee members told the research team they could not meet at night, when most fishers are free, because the village leader forbid it. In Chroy Svay, meanwhile, fishers said they “did not dare” ask for new committee elections, despite their unhappiness with the regional leader.

¹⁷ Article 14, Convention on the Elimination of Discrimination Against Women (CEDAW).

are entitled.¹⁸ They believe that government determines what people can do by establishing the law, and therefore what their rights are.

“We have the right to establish a community fishery because we received permission from the authorities. The bylaws specify our rights.” – Morm Norin, community fishery leader, Stung Hav.

- **The rights and duties of protecting resources**

There is a tension between, on one hand, fishery members’ right to patrol and, on the other, the responsibilities that communities take on when they do this. Community based fisheries in Sre Ambel have the power to enforce their boundaries. Without this right, they would be unable to protect resources on their own, compromising the idea of local management.



Women in Thma Sa peel shrimp for the commercial export market. (Kay Leak)

Fishers share this responsibility with government, which has not completely relinquished its custodial and law enforcement responsibilities. According to fishery bylaws, patrollers must cooperate with the fishery officer or commune police when stopping illegal fishing boats. If the authorities are unable to go with them, then community members are authorized to patrol provided that they notify authorities afterwards for collection of the fine. The requisite cooperation is not always forthcoming on short-notice, even after the fact. Community fishers – above all in Chroy Svay, which faces greater encroachment of illegal fishing – face a no-win situation. If they follow their bylaws to the letter, then they cannot protect their resources; if they bend them, they are

bending the law and opening themselves to accusations from illegal fishers and government officials alike.

Fishers want better cooperation from law enforcement officials. Though enforcement is necessary, there is a danger that stronger enforcement of their rights will lead to greater conflict with illegal fishing boats, rather than less. In Sre Ambel, patrollers recognize that in exchange for the right to protect their natural resources, they have certain responsibilities towards other fishers. Trawlers and pushboats fish in Kompong Som Bay in violation of the Fishery Law (Decree 33) and inside community boundaries in violation of the bylaws. But enforcing the law vis-à-vis these fishers will not solve the problem of illegal fishing because it fails to address the rights of these fishers as well. Instead of being treated like criminals, they too need to be treated as poor people with rights.

There is ambivalence among NGO stakeholders about community patrols and arrests. The Coordinator of SNAN supports the right of fishery members in Sre Ambel to protect their resources if they follow the bylaws. He said that if they don’t get a response from officials they should still be able to do patrols. Going one step further, he believes community members should be able to collect a fine and take some money for doing the patrol. However, the Coordinator of LICADHO in Sihanoukville who was interviewed at the same time was less certain:

“Regarding the bylaws, members have no legal right to arrest without the fishery officer. They need cooperation with authorities. The members take this opportunity

¹⁸ The word for human rights in Khmer, “*set m’nou*,” implies “what people *can* do.”

to arrest outside the boundaries in order to get benefits. So it is difficult... If they are doing arrests to protect their resources after calling the FO, then it is OK.”

According to the local ADHOC representative, fishery members should ideally have equal rights with the fishery officer so that they are not dependent on the fishery officer in order to protect their resources. But she also acknowledged that if patrollers go without the fishery officer, then no one is monitoring whether patrollers act in compliance with the bylaws – for example, whether the boats they stop are really inside the community. Fishers also were less at risk when the fishery officer participated because he had more legitimacy to arrest in the eyes of trawler and pushboat fishers.

Fishery officials are willing to engage on this issue. The chief of the municipal department of fisheries in Sihanoukville proposed the following solution: “We should establish a group with the fishery officer, district authorities, and community members, and the director of the fishery department. When we form this and get approval from the province, then we can have meetings and share responsibility. Then all would have the same right to make arrests even if the others are busy.” Human rights, development, and environment NGOs, relevant government offices, and community members should further discuss the challenge of how best to empower communities to protect their resources.

● Individual versus Community Rights

The right to a better livelihood can only be enjoyed if it is respected by all individuals without infringement upon one another. In the traditional formulation, individuals have rights, while states and other stakeholders have a duty to protect and/or provide these rights. But demanding rights from government alone, including its duty to protect fishery resources, will not ensure the successful functioning of a community fishery. Local stewardship of marine resources also entails duties on the part of community fishery members. Community-based fisheries decentralize resource management. The emphasis is on protecting resources – and by extension, livelihoods.

Fishers have a better sense of their individual rights than of their own duties. With encouragement from development and human rights NGOs, they have started to learn about and to exercise their rights. Yet, when members believe that protecting their own rights entitle them to do activities that destroy the local resources and threaten other’s rights and livelihoods, then this premise has been misunderstood.

Part of the problem may lay with NGOs, which can become too attached to their own projects and target communities. Indeed, they can be blinded by their best intentions. By losing sight of the bigger picture, they may not see the impact of their work on other communities, nor the need for compromise in order to protect environmental resources for *everyone*. The organizing process in Stung Hav, for example, has empowered trawler fishers to speak out to government about arrests, fines, and corruption by the fishery officer, chalam krahorm, and other stakeholders – but not to change their way of fishing. According to one activist from SNAN, “The goal of establishing the community fishery in Stung Hav is to advocate and stop authorities from getting money from fishers.” Many of the NGOs involved in SNAN come from a human rights angle. Yet, by encouraging the Stung Hav committee to seek a reduction in fines for its members arrested in Sre Ambel fisheries, it is encouraging practices destructive to traditional fishers outside its target area.

Conclusion

The successful functioning of Community Fisheries in Cambodia provide many challenges for community members, NGOs, and government officials interested in the sustainable use of resources. Fishery resources in the shallow Kompong Som Bay are reaching a crisis point – in some parts of the bay they have already collapsed. The experience of the Chhikhor Krom community fishery shows that successful community organizing, supported by government, can result in a regeneration of fish stocks and improved livelihoods for local people. However, it has also shown that the challenges of sustaining these community based organizations are at least as great as the challenges of the organizing phase.

There are still many obstacles to successful protection and the establishment of a sustainable fishery on the bay. Community members lose interest once the crisis is past. Committee leaders face new and unfamiliar tasks and expectations, sometimes with very little support or benefit. Trawler operators resist the knowledge that their fishing methods are not only illegal but also highly destructive. Wealthy and well-connected persons are even now investing in larger, more 'efficient' trawlers which could hasten the collapse of resources in the bay. Land speculators are grabbing up land for tourism or industrial development, threatening mangrove swamps that are essential to maintaining the health and productivity of the fishing grounds. Government officials are divided – some showing strong support for communities try to protect resources but others profiting from illegal and destructive fishing.

In this situation, increased awareness raising both at the community level and more broadly, are essential. But raising awareness must also be accompanied by practical, decisive interventions at the community level to strengthen communities' ability for strong effective local natural resources management. This cannot happen if communities see each other as the main problem. If community to community conflict continues or grows worse, everyone will lose because the resources will collapse. Likewise, NGOs need to combine their energy to find solutions, not just for their own target population, but for *all* those who are dependent on the bay's resources. Government officials need to throw their strength and will behind finding long-term solutions that benefit the largest number of people. The next five to ten years will be decisive in determining whether coastal resources in Cambodia will survive, or will be destroyed.

II. Appendix I: Fishery Statistics

Village	Total # Families*	Population*†‡	Female	Members #Households	Regional Committee Female	Male	Village Committees Female	Male			
Chhikhor Krom											
An Chi Eut	114	599	301	106	1	1	2	1			
Ksach Krahorn	116	644	318	108	1	1	1	2			
Taben	76	593	203	73	0	1	1	2			
Total	306	1836	822	287	2	3	4	5			
%					40.00	60.00	44.44	55.56			
Chroy Svay											
Saray	165			165	0	1	1	2			
Phnom Sralao	98			98	0	1	1	2			
Chroy Svay Kach	123			123	0	1	1	2			
Chroy Svay Lech	141			141	0	1	1	2			
Nisat	N/A			110	0	1	1	2			
Koh Ream	N/A			67	0	1	1	2			
Total				704	0	6	6	12			
%					0.00	100.00	33.33	66.66			
* Nov 2005											
** Chhikhor Krom figures as of 4/25/2006											
† 2005 updated population figures for Chroy Svay commune not available											
‡ Female-headed household											
Stung Hav											
Commune	Total # Families	Population (2004)	Female	Members #Households	Members	Regional Committee Female	Male	Commune Committees Female	Male	Number of Boats (2005) Trawlers Longtail	
Kampenh	320					3	2	6	5	N/A	N/A
Tumnuh Rolork	1415	7745				0	4	3	8	(500)	
Otres	1170					0	2	3	8	37	35
Total	2905	12,798	6,444	287	287	3	8			674	

III. Appendix II: List of interviews

Second Provincial Governor, Koh Kong province*
Provincial Department of Agriculture, Forestry, and Fisheries, Koh Kong province*
Chief, Provincial Office of Fisheries, Koh Kong province*

District Governor, Sre Ambel, Koh Kong province*
Deputy District Governor, Sre Ambel, Koh Kong province
District Governor, Botum Sakor, Koh Kong province
Deputy District Governor, Stung Hav district, Kompong Som province

Commune Council Chief, Thma Sa, Botum Sakor district
Commune Council Chief, Andoung Tuek, Botum Sakor district
Commune Council Chief, Chhikhor Krom, Sre Ambel district
Commune Council Chief, Chroy Svay, Sre Ambel district
Commune Council Chief, Otres commune, Stung Hav district
Commune Council Chief, Tumnup Rolork commune, Stung Hav district**

Chief, *Sangkat Nisat* (Fishery Officer), Sre Ambel
Chief, Municipal Office of Fisheries, Sihanoukville
Deputy Chief, *Sangkat Nisat*, Thma Sa, Botum Sakor district

Chief, Inspectorate of Provincial Office of Fisheries ("*chalam krahorm*"), Koh Kong

Technical Advisor for Seila Program, Commune and Community-based Natural Resources and Environment Management Project, Kompong Som province
Chief of Statistics Office; Manager, Partnership in Environmental Mgmt for the Seas of South East Asia (PEMSEA), Sihanoukville Municipality*

Coordinator, ADHOC, Koh Kong*
Coordinator, ADHOC, Sihanoukville
Acting Director, Khmer Ahimsa, Sre Ambel
Coordinator, LICADHO, Sihanoukville
Coordinator, Sihanoukville NGO Advocacy Network, Sihanoukville; Bice Officer
Trainer and Network Facilitator, Star Kampuchea, Phnom Penh

Community Fishery Committee Members, An Chi Eut village (including Chhikhor Krom regional committee leader)
Community Fishery Committee Members, Taben village
Community Fishery Committee Members, Nisat village
Community Fishery Committee Members, Chroy Svay Lech village
Community Fishery Committee Members, Saray village (including Chroy Svay regional committee leader)
Flooded Forest Protection Committee Members, Otres commune
Flooded Forest Protection Committee Members, Tumnup Rolork commune
Flooded Forest Protection Committee Members, Kampenh commune
Community Fishery Committee Members, Stung Hav (district level)
Community Fishery Committee Members, Tameak village (commune & village level)

Men's Focus Group, An Chi Eut village
Women's Focus Group, An Chi Eut village
Men's Focus Group, Taben village
Women's Focus Group, Taben village
Mixed Focus Group, Ksach Krahorm village (including village fishery committee)

Men's Focus Group, Nisat village

Women's Focus Group, Nisat village
Men's Focus Group, Saray village
Women's Focus Group, Saray village
Men's Focus Group, Chroy Svay Lech village
Women's Focus Group, Chroy Svay Lech village
Individual interviews, non-members (x2), Chroy Svay Lech village

Mixed Focus Group, Tumnup Rolork villages 1, 2, and 4[†]
Men's Focus Group, Tumnup Rolork commune
Women's Focus Group, Tumnup Rolork commune, village 1
Women's Focus Group, Otres commune, village 3
Men's Focus Group, Otres commune
Women's Focus Group, Kampenh commune

Women's Focus Group, Tameak
Men's Focus Group (trawler operators) Thma Sa
Woman pushboat owner and labor fishers, Thma Sa

Trawler owners and "labor fishers," Kampenh 1 village port, Stung Hav[‡]
"Labor fishers," (deep water and trawler), Kampenh 1 village port, Stung Hav
"Labor fishers," Chamkar Leur village, Tameak commune
Secretary, Association of Deep Water Fishers, Stung Hav^{*}

** Preliminary discussion only*

*** The request for an interview with the Kampenh commune council was refused.*

† Included men & women members (including commune-level committee) & nonmembers

‡ "Labor fishers" are hired hands on fishing boats who receive a percentage of the earnings from each day's catch.

