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Forestry Administration

Guidelines on Private Forest Registration in Cambodia



The Department of Forest Plantation and Private Forest Development
- 2021

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Preface

Cambodia's Government has defined its Sustainable Development Goals (2016- 2030) to accomplish 50% of the forest cover by the year 2030 in order to protect, restore and promote the sustainable use of the forest ecosystem, sustainable forest management, the combatting of land degradation and soil quality degradation, and the conservation of biodiversity, especially genetic resources, rare and commercially valuable timber. In order to contribute to the implementation of the framework of the Sustainable Development Goals of the Royal Government of Cambodia, the Agricultural Development 2019-2023 of the Ministry of Agriculture, Forestry and Fisheries by increasing the number of trees planted and collected from 200,000 m³ per year in 2019 to 300,000 m³ per year in 2023.

Furthermore, the Forestry Administration has been redeveloping reforestation on state-owned vacant land and promoting the taking part of people in planting tradable trees and rosewood on privately-owned land in the long term, medium term, and short term in order to create a source of supply of timber and wood fuel obtained from tree plantations and help increase people's living standards to reduce dependence on timber from natural forests.

As stated in the forest law regarding "*private forests*" the Ministry of Agriculture, Forestry and Fisheries issues prakas on "Private Forest Rules" to recognize individuals who have planted trees on private land or state forest land that and has been granted the rights of uses, the right to maintain, develop, use, sell and distribute their products. In addition, natural persons or legal entities who are the land owners who have planted trees on privately-owned land to establish and register as a private forest will receive many incentives from the Royal Government of Cambodia, such as technical consultation, reduction of the export tax rate on timber and wooden products, preferential reduction of 50% of total export tax obligation on timber and tree export duty and imposition of the export tax burden on the state for the export of furniture products, and other finished products made from domestic wood.

The Guideline for the Establishment and Registration of Private Forests in Cambodia will be a technical document to guide landowners or legal entities who wish to register their private forests, either tree plantations or natural plantations, to understand the process of establishing and registering private forests, and to have the knowledge of and skills in maintaining private forest plantations and receive other benefits from the Royal Government.

The Forestry Administration sincerely hopes that the Guideline for the Establishment and Registration of Private Forests in Cambodia will be a beacon in resolving questions about the establishment and registration process of private forests for competent forestry administration officials, the private sector, communities, and local authorities who may use and apply this guideline. The guideline is a remarkable achievement of the cooperation and financial support of the Government of The Asian Forest Cooperation Organization¹-AFoCO and the European Union through the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora-CITES.

Dr. Keo Omalis
Delegation of the Royal Government of Cambodia in charge of
the Forestry Administration.

Acknowledgments

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"***The Guideline for Registration and Private Development***" is the result of the hard work of Mr. Chheang Dany, Deputy Director of Forestry Administration, who has always put a lot of effort into finding funding sources to help in the development of this guideline. He has spent time and provided good initiatives for the team to prepare this document successfully.

We would like to thank **His Excellency Dr. Keo Omalis**, the delegation of the Royal Government of Cambodia, who is in charge of the Director of Forestry Administration and the leadership of the Forestry Administration, for having provided vital input to support and encourage the working team in the preparation process of this "***Guidelines.***"

We would also like to extend our thanks to Dr. Ly Mengseang, the Director of the Department of Plantation Development of private plantations and private forests, for having provided good initiatives, taking the time to chair the meeting, providing critical input, supporting and encouraging the team to develop this "guideline" successfully.

Many thanks to national and sub-national Forestry Administration officials, private sectors, educational institutions, national and international organizations, and other stakeholders for their input in improving this guideline and raising the issue of tree planting, which has been clarified in the registration process as well. Special thanks to the efforts of the project implementation teams of the project: "**The registration of small-scale private forest plantation in Cambodia**" and project "**Integrating the development of guidelines and incentives for piloting the establishment of small-scale private Dalbergia plantation.**" They are Mr. Kim Sobon, Ms. Lim Sopheap, Mr. Pat Sothea, Mr. Say Sinly, Mr. Pang Phanit, Mr. Yi Narom, Mr. Neap Keng, Mr. Sun Chandara, Mr. Phuong Sophea, Mr. Kong Kongkea, Ms. Ouch Sineth, Mr. Bou Vuthy, and Mr. Vanna Won.

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Executive Summary

Cambodia has the goal of maintaining at least 50% of its land under forest cover to contribute to the country's Sustainable Development Goals by 2030. In pursuit of this ambitious goal, the Forestry Administration has identified degraded forests and other degraded lands that are available for restoration and introduced initiatives for investing in the establishment of private forest plantations on state land by forging partnerships between various private sector entities. It has recently developed and obtained approval of the **Guidelines on Private Forest Registration**, as well. These guidelines are intended to provide policy support by means of incentives, including a 50% export tariff reduction on wood products derived from locally planted trees, to promote the extensive participation of the private sector in investing in tree plantations on private land.

The development of the Guidelines on Private Forest Registration has been supported by the European Union through the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) under its project for Integrating the Development of Guidelines and Incentives for Piloting the Establishment of Small-scale Private Dalbergia Plantations with the Determination of a Non-detriment Findings Report in Preah Vihear Province, Cambodia" and the Asian Forest Cooperation Organization (AFCO) through its project on "The Registration of Small-scale Private Forest Plantations in Cambodia."

The Guidelines on Private Forest Registration consist of four chapters. The first provides a context by presenting critical information on the definition of private forests, as well as on supporting legislation, and eligibility. The second elaborates on the process applicants have to follow to register their private tree plantations. The third provides technical instructions on the development of plans for establishing private plantations. The fourth focuses on the harvesting of the trees that have been grown on private land, as well as on mechanisms for the monitoring and tracking of the produced wood by local Forestry Administration units. Each chapter is briefly described as follows:

Chapter 1: Introduction

Private forests are defined as plantations or trees that grow naturally on land that is registered and privately owned under state valid procedures and laws. Private forest refers to plantation established by natural persons or private legal entities who own land on their private land with the right to occupy in accordance with the land law and are registered as private forest according to the regulations of the Forestry Law and the Prakas No. 327 PRK dated 26 May 2017 on the Private Forest Rule.

The guidelines provide guidance to assist landowners or legal entities wishing to register their private forests, either plantations or natural plantations covering:

- the process of establishing and registering private forests;
- knowledge and skills in caring for private forest plantations;
- effective monitoring of the progress of responsible private forest management, and
- the importance of plantations and the potential of private plantations in improving the livelihoods of local people and communities, as well as contributing to socio-economic development and environmental protection

In order to encourage participation in tree planting and development as plantations, Article 46 of the Forestry Law (2002) states that "Individuals who plant trees on private land or on state forest land that has been granted the right to use have the right to maintain, develop, use, sell and distribute their products," and subsequently, the Rules on private forests have been promulgated by Prakas of the Ministry of Agriculture, Forestry and Fisheries to encourage individuals to cultivate and maintain plantations.

The Prakas on the "Private Forest Rules" sets out the scope, requirements and procedures in the private forest registration process in Cambodia, classifying private forests according to the size of land planted or proposed, as well as outlines the many benefits that private forest owners receive and are encouraged. In this respect, the Forestry Administration would provide technical training services for afforestation and plantation management. Transportation of wood products originating from private forests to supply customers or the local market does not require a permit (LP). Prior to harvesting timber in a private forest plantation, the owner of the private forest shall notify the competent local forestry administration in writing the harvesting activities undertaken and be responsible for inspecting the amount of timber collected.

Private forest owners shall request their private forest logbook from the competent forestry administration of the relevant locality before harvesting the planted trees. Based on the Prakas on "Private Forest Rules", private forest owners must record all harvesting information in their private forest logbook, such as the location of the harvested lot, the size of the harvested area, the amount of timber and the type of timber harvested. This logbook is useful for private forest owners to use instead of a transportation permit when transporting their products to customers in the local market.

However, Article 61 of the Forestry Law states that "the rules for granting the right to use state forest land for afforestation shall be determined by sub-decree", by which planting trees on degraded forest land where partnership in planting trees between the State and the private sector (Public Private Partnership (PPP) shall be authorized by the Royal Government of Cambodia as referred to a letter No. 120 S.C.NK.S. dated 08 February 2017 of the Office of the Council of Ministers.

Who should use these guidelines?

- private forest owner,
- national and sub-national forestry administration officials; and
- NGOs and other stakeholders working in the field of private forest plantation.

Why do private forest owners have to use these guidelines?

The guidelines describe the process of establishing and registering private forests as well as explaining the technical standards to private forest owners for managing and developing their plantations. In addition, the guidelines will help private forest owners understand the incentives set out in the forest policies and legal frameworks more effectively regarding the implementation of forest management activities that contribute to the social environment and economic efficiency. Private forest owners can learn about the process of establishing and registering private forests described in these guidelines, completing application forms for registration, planting planning and recording in the logbook.

Chapter 2: Practical Procedures for Registering

Private Forests Under the guidelines, private forest plantations are categorized by area, each of which is distinguished by its own application form and place of submission.

There are four categories of private forest forests, as follows:

- household private forest plantations that consist of land areas of less than 10 hectares. The application form and the hard copies of associated documents under this category shall be submitted to the Forestry Administration Cantonment in the province where the private forest plantation is to be established;
- small-scale private forest plantations that consist of land areas that range from 10 to 100 hectares. The application form and the hard copies of associated documents under this category shall be submitted to the Provincial Department of Agriculture, Forestry and Fisheries in the province where the private forest plantation is to be established;

- medium-scale private forest plantations that consist of land areas that range from 100 to 1,000 hectares. The application form and the hard copies of associated documents under this category shall be submitted to the Forestry Administration at the central level in Phnom Penh; and
- large-scale private forest plantations that consist of land areas that are greater than 1,000 hectares. The application form and the hard copies of associated documents under this category shall be submitted to the Ministry of Agriculture, Forestry and Fisheries in Phnom Penh.

The documents required to be submitted with the application for are, namely, (i) a national identification card or passport; (ii) a land tenure certificate; and (iii) business patents if an applicant is a large entity or a company. The guidelines were developed to include sample attachments of application forms, verification and evaluation forms for inspecting the tree plantations in the field, a two-paged example of the forest registration certificate, and a logbook for recording harvesting data and other related information.

Natural persons or private legal entities who are interested in registering their private tree plantations may consult with the specialized officers of the Department of Plantation and Private Forest Development of the Forestry Administration or the specialized officers of the Forestry Administration division before applying for private forest registration.

There are three interrelated steps in the registration process. The initial step proceeds through the provision of general guidance to the filing out of the application form and submission of the required documents for reference and certification of legal acquisition. The second step establishes the process by which field verification and evaluation are conducted by appropriate authorities comprising of Forestry Administration officers from either or both the central and local levels. Finally, the third step is the issuance of the private forest registration certificate.

In the provision of private forest registration certificate, the Forestry Administration will provide a certificate of private forest registration to natural persons or legal entities who have applied for private forest registration at the request of the Provincial Department of Agriculture, Forestry and Fisheries (for household and small-scale private forest) and at the request under the supervision of the Forestry Administration (for medium- and large-scale private forest) with attached reports and records of field verification and evaluation. This certificate of private forest registration will be provided to the natural person or legal entity who has applied for private forest registration with the following conditions:

- land ownership certificate in accordance with the land law (original copy);
- the location of the proposed land is safe;
- in the case where the land is leased from the private sector on long term basis, the lease agreement and the consent from the property owner to register as a private forest in writing are needed; and
- planted trees make up at least 35% of the land cover.

In the case where the location of the application for registration has not met all the above conditions, the Forestry Administration has the authority to prepare a letter of notification to the natural person or private legal entity, as well as to recommend the documentation required and reapplication.

The issuance of a certificate of private forest registration can be issued to the owner of the private land in the size of the area and/or the number of trees of equal value, depending on the actual situation in which the owner planted the tree, for example, for timber production or planting trees as a fence along borders.

If an applicant or a private tree plantation owner has complied with the requirements associated with both the legal acquisition and evaluation criteria for private tree plantations, a private forest certificate shall be issued to the applicant no later than two months after its initial submission. The application may be rejected, however, if the applicant fails to provide sufficient evidence associated with the legal title to the land and will be required to resubmit the application form. If an applicant lacks the required supporting documents or is unable to obtain satisfactory field verification, or is only partially able to comply with the field assessment criteria for their private

plantation, the issuance of a private forest certificate will be suspended. The guidelines stipulate, as well, that in registering private forest plantations, owners are not required to have permits in their possession that are associated with the planned harvesting or transporting of wood products originating from their tree plantations, except for those products that are planned to be exported.

Chapter 3: Preparatory Planning for Tree Plantation and Private Forests

The establishment of private plantations and forests is the contribution of private forest owners, both physical and legal, in efforts to boost the national economy by creating a source of timber supply from plantations and reducing the pressure on the use of timber from natural forests. It will also create jobs, help increase incomes for the local communities and reduces poverty areas. Planting plans prepared by individuals and legal entities could take into account a number of values, such as recreation, quality of the landscape, geography, biology and cultural heritage.

Site selection for establishing tree plantation

The selection of land for a tree-planting project is an important aspect that individuals or legal entities should study carefully before deciding to purchase or enter into joint venture to establish private plantations and forests, which should consider environmental an If private forests are established as commercial plantations, then they should be established where the soil and climatic conditions (quantity and distribution of rainfall) are suitable for the growth of the species. Establishing plantations or private forests, even small ones, is very expensive. Expenses for purchasing land, tools and equipment for planting trees, renting land, hiring workers, building roads, fencing, maintaining protecting and transporting. If the private forest owner has a clear plan, the cost will be reduced.

Forest plantations can also be created as private forests in response to environmental and social benefits. Site assessment should begin at an early stage prior to land preparation, reviewing (1) soil conditions, flora and fauna using rapid assessment tools; (ii) status of land use in accordance with the land tenure system, not related to the state's permanent forest reserve or forest area of the protected area; (111) economic analysis of the labor force; and (iv) effects of possible impacts such as water pollution, water scarcity and/or lack of water sources.

Planning and factors to be considered

After the site study process, planning for the establishment of a private commercial forest plantation should include an economic analysis to show that the plantation project will be profitable as a basis for investment decisions. The main points to be analyzed are, namely, (1) based on actual estimates of the area to be planted, excluding environmental costs and making actual estimates of financial revenues and establishment, maintenance and protection costs, etc.; (ii) consider the impact of topography and accessibility of harvesting and transportation costs using data from local plantation growth with similar conditions for estimating productivity and yields; and (iii) consider the potential risks of diseases, fires, pests, and other natural disasters.

Factors that should be considered in the preparation of plantations include (1) existence of plant systems, whether there is still potential for reforestation and usability? (ii) construction of roads and railways for private forest plantations over 10 hectares requires measures to prevent and control wildfires; (111) preventive measures against diseases and pests; (iv) marketing plan and use

of wood, including land tenure and the legitimacy of the planting site, and whether there are still unresolved land tenure disputes before planting, and (v) plantation size where the larger the plantation, the smaller the cost per unit of land, so a change of land or a joint venture may be considered to reduce the cost of establishing a plantation.

Most of the planting work is done by farmers during the off-season. If the plantation is too large to handle, additional workers must be hired from outside. This problem is often encountered when preparing the plantation and when planting. Outsourcing must also provide accommodation.

Plantation planting and maintenance plan requires private forest owners to prepare in case the area of application for registration of private forest is more than 10 hectares.

Private forest owners need to inspect their plantations regularly after planting to monitor the growth of seedlings, seek advice or technical assistance from the competent forestry administration officials if necessary to ensure that plantations are of good quality and in accordance with technical specifications, and must cooperate with the competent forestry administration by reporting quarterly on the development status of their private plantations, including survival rates, growth maintenance activities, and other newly planted species (update private forest plantation data)

Chapter 4: Harvesting and Monitoring Mechanisms for Tree Plantation and Private Forests

This chapter describes the procedures for requesting harvesting of timber and the mechanism for inspecting plantations that private forest owners must perform, as well as how to record the activities of planting, maintenance and quantity of timber to be harvested. Record them in a logbook and report the harvesting activities and the amount of wood harvested to the competent Forestry Administration Officer.

Harvesting operations

Harvesting is a stage where private forest owners need to consider in advance a number of activities, such as harvesting operations, marketing and transportation to use, distribution and processing sites. At this stage, private forest owners need to consider harvest planning as follows:

- select a silvicultural system to implement;
- select the appropriate system of harvesting business,
- select equipment and materials for harvesting, hauling and processing, and
- plan the construction of tractors roads and transportation.

Private forest owners who have registered private forests have the right to harvest, use and exploit non-timber forest products and processed wood products originating from their private forests by following the following rules:

Before forest harvesting, the private forest owners must report in writing to the competent Forestry Administration the location of the harvested lot, the area and the type of timber to be harvested, at least two weeks before the harvesting operation begins. In the case of private forests of 10 hectares or more, the owner of the private forest must attach a harvesting action plan, along with a map showing the location of the lot and the direction of transport to the market for use or distribution.

At the commencement of the harvesting operation, the private forest owner must record in his/her private forest logbook the location of the harvested plot, the size of the harvested area, the amount of timber or by-products collected and transported from his private forest plantation for processing. In the harvesting process, private forest owners must follow the Cambodian Code of Harvest Practices to ensure that their private forest harvesting business ensures:

- safety for workers during felling;
- minimize environmental and social impacts; and
- appropriate use of tractors and transportation that do not cause excessive damage to the road system or erosion.

The competent local forestry administration shall manage the records of each registered private forest and have the right to inspect any private forest logbook as necessary or in case of doubt to verify the harvesting activities and exploitation of private forest rights.

Mechanisms for inspection of private plantations and forests

After obtaining the certificate of registration of private forest, the applicant can request technical assistance, coordinate or cooperate with the Forestry Administration officials-in-charge of plantation maintenance. The private forest owner has to manage the plantation plantations based on the silvicultural techniques set forth in the private forest plantation plan or its private forest development plan until harvest time. Each private forest rights registered in accordance with the rules of the Prakas is responsible for keeping a record of all activities involved

in the harvesting and exploitation of its plantations, including data on the amount of timber transported and processed, traded or used.

Inspections of plantations and private forests shall be carried out by the relevant private forest owners and/or professional officers of the competent forestry administration. The establishment of a mechanism to control private plantations and forests in this chapter is not meant to put pressure on private forest owners. Its aim is only to enable the Forestry Administration to have the authority to provide technical support services and technical guidance to owners through the provision of technical training services for afforestation and management of plantations from planting to the establishment of a complete plantation and harvest.

The information on the number of planted trees to be harvested at the time of harvest should be provided to the competent Forestry Administration Officer to enable the amount of timber to be deducted from the Forestry Administration data management system. This information shall be recorded in the logbook provided by the Forestry Administration along with the certificate of private forest registration, both of which will be used for the transportation of timber products from plantations to the market.

Private forest owners must monitor and record all activities related to private forest plantations, such as:

- date of tree planting, tree species, number of trees and/or area (hectares);
- cultivation data such as survival rate and growth in diameter, height and leaf expression;
- pruning and thinning of plantations, indicating the amount of timber removed and the
- amount of fruit harvested;
- quantity of fruit harvested by block and direction of distribution to market; and
- quantities and types of trees replanted or regenerated stumps.

Private forest owners are obliged to record in their logbook the activities of their private forest management for the monitoring, inspection, verification or technical support intervention by the competent forestry administration officer. Private forest activities are recorded on a monthly basis for each year of operation, as follows:

- records of the process of establishing a private forest, including activities ranging from site preparation, nursery, sapling, plantation, maintenance, application of silvicultural techniques on forest germination to the pre-harvest stage, and
- records of private forest harvesting process: including deforestation, pruning, hauling, piling and post-harvest forest cleaning, as well as information on transportation from stockpiles to warehousing markets, and the amount sold to factory or handicraft processing plants or exported.

Monitoring and reviewing implementation

The competent Forestry Administration Officer shall monitor and inspect the implementation of timber harvesting work in plantations and private forests, including the necessary documents such as certificates of private forest registration, information recorded in the ledger and logbook, harvest location, etc. If necessary, the competent Forestry Administration Officer would inspect the location of the harvesting block in the field if the private forest owner does not perform the work of recording or completing the data recording as instructed.

Samples of the following documents in the Khmer language are also provided in the guidelines:

- the application forms;
- the field verification and evaluation form
- the front and back pages of the private forest certificate;
- the plan for establishing private forest; and
- the private forest logbook.

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Acronym List

ha.	:	hectares
R.P	:	Forestry Administration
Kh.R.P	:	Forestry Administration Cantonment
K.S.K	:	Ministry of Agriculture, Forestry and Fisheries
AFoCO	:	Asian Forest Cooperation Organization
CITES	:	The Convention on International Trade in Endangered Species of Wild Fauna and Flora
LP	:	Letter of Permit
PPP	:	Public Private Partnership
Sensitivity Analysis	:	Sensitivity Analysis

Chapter 1

Introduction

1.1 Definition

Private forests are defined as plantations or trees that grow naturally on registered and privately owned land under state-valid procedures and laws. Private forest refers to a plantation established by natural persons or private legal entities who own land on their private land with the right to occupy in accordance with the land law and are registered as private forest according to the regulations of the Forestry Law and the Prakas on the Private Forest Rule. The main terminology used in this guideline is defined in the Glossary of this guideline.

1.2 Purpose

This guideline is a technical document and a guide to help landowners or legal entities wishing to register their private forests, either plantations or natural plantations, for them to understand the following:

- Private forest establishment and registration process
- Knowledge of and skills in caring for private forest plantations
- Effective monitoring of the progress of responsible private forest management
- The benefits of tree plantations and the potential of private tree plantations in improving the livelihoods of people and local communities and contributing to socio-economic development and environmental protection.

1.3 Legal and Policies Framework

1.3.1 Legal Framework

The 2002 Forestry Law provides for the management of the harvest, use, development, and conservation of forests to ensure sustainable forest management for society, the economy, and the environment, as well as the conservation of biodiversity and cultural heritage. To encourage participation in tree planting and development of plantations, Article 46 of the Forestry Law states: Individuals, who have planted trees on privately owned land or on state forest lands that have been granted the right to use it, have the right to maintain, develop, use, sell and distribute their tree plantation products." And the rules on private forests are set by Prakas of the Ministry of Agriculture, Forestry and Fisheries to encourage individuals to cultivate and maintain tree plantations."

The 2001 Land Law defines private and state-owned lands (state private land and state public land) and natural waterways as state property. The Glossary of Land Laws defines the term "**Ownership**" and "**Possession**" as follows:

- Ownership is "the exclusive right over movable or immovable property. There are three types of this (ownership) right: the right to use, the right to cultivate, and the right to manage.
- Possession is the "right that an individual possesses on a temporary property that is not yet his own. "Possession" is the opposite of ownership which gives a person exclusive rights over any property. For example, land with a cadastral title is the owned land, and land without a title deed is the possession or possessed land."

The Prakas on the "Private Forest Rules" sets out the scope, requirements, and procedures in Cambodia's private forest registration process. This Prakas classifies private forests according to the size of the land whose trees have been planted or the land proposed, as well as outlines the many benefits private forest owners receive and how they are encouraged. On the other hand, concerning the use of state forest land for tree planting, Article 61 of the Law on Forestry states that "the rules for granting the right to use state forest land procedures planting shall be determined by sub-decree."

1.3.2 Policies

The Royal Government of Cambodia's Declaration on National Forestry Policy 2002 urges Cambodians and the private sector to be involved in forest conservation in order to ensure food security, alleviate poverty and contribute to socio-economic development. Additionally, the Royal Government of Cambodia has been encouraging investment in all forms of tree planting, such as individual plantations, private plantations, economic land concessions, and public-private partnerships to create a source of local timber supply and export from tree plantations to replace the source of supply of timber from natural forests. The Royal Government of Cambodia's policy to encouraging tree planting work is as follows:

- Granting the right to use degraded forest land or state vacant land for tree planting (Sub-Decree No. 26R.N.Kr.B.K dated March 25, 2008, on the rules for granting the right to use state forest land for tree planting).

- Authorization of the principle of planting trees on degraded forest land in cooperation between the state and the Public Private Partnership (PPP) ((Letter No. 120 S.J.Nr.S dated February 08, 2017, by the Office of the Council of Ministers) In principle, the Royal Government has permitted planting trees on previously exploited forest land, on degraded land, and vacant state land.
- Promoting the improvement of the living standards of local communities in order to minimize their dependence on timber in order to create a source of supply of timber and energy from tree plantations (a strategic direction set out in the long-term forest management vision in the letter No. 1211 S.J.Nr.S.K dated November 28, 2017, by the Office of the Council of Ministers).
- Decreasing export tax rates on plantations and plantation products to encourage tree planting investors (Letter No. 1704S.J.Nr.S.T dated November 18, 2019, by the Office of the Council of Ministers) such as:
 - Preferential reduction of 50% of total export tax obligation on the export of domestic plants.
 - Imposing an export tax on the state regarding the export of domestic furniture and finished products
 - The competent authority must confirm the export license with the scientific names and the trade name of the timber. It shall be specified as a species of locally grown timber or a product derived from locally grown timber.

1.3.3 Strategic Plan

Rectangular Strategy Phase 4, 2019-2023: Focus on managing and conserving forest resources to ensure the sustainability of national economic growth and improve the livelihoods of people in rural areas by increasing planting trees and restoring the forests.

The National Strategic Development Plan 2019-2023 emphasizes the need for Cambodia to increase the sustainable management of forest and wildlife resources by reinforcing the implementation of forest laws to promote reforestation. The National Strategic Development Plan sets out a national target indicator that the number of trees planted will be collected annually at 200,000 cubic meters in 2019 and will increase annually to 300,000 cubic meters by 2023.

National Forest Program (2010-2029): Prioritizes multi-purpose afforestation to boost local supply, cut down poverty and improve rural livelihoods, significantly reducing the pressure of using timber from natural forests and aiming to increase forest cover. Key activities include:

- Sustainable forest management and poverty reduction through reforestation
- Private forest development with a focus on multi-purpose tree planting, which has the potential to serve local timber needs and increase the income of local people
- Developing cooperation on the establishment of plantations between the private sector community and the forestry administration through developing a "model agreement" on the management and distribution of benefits.

Cambodia Sustainable Development Goal Framework 2016-2030 has been reviewed and set out goals by ensuring the conservation, restoration, and sustainable use of ecosystems and services, especially mountainous forests, in accordance with their obligations under international agreements and setting national target indicators by achieving 50% forest cover by 2030, which must be increased from 48,8% in 2016.

1.4 Rights and Benefits of Private Forest

Individuals, who plant trees on private land or on state forest land that has been granted the right to use, have the right to maintain, develop, use, sell and distribute their (plantations) products. In addition, natural persons or legal entities, who are landowners who privately own the land the trees have been planted on to establish and register as a private forest, will receive many incentives from the Royal Government of Cambodia, such as technical consultation, no premiums required, reduction of the export tax rate on plantations and plantation products, 50% preferential reduction of total export tax obligation on the export of plantation products and imposition of tax exports on the state regarding the export of goods, furniture and other finished products made from timber grown in the country.

1.4.1 Rights of Plantation Process and Use

As defined in Chapter 3 of Proclamation No. 327 BrK.K.S.K dated May 26, 2017, of the Ministry of Agriculture, Forestry and Fisheries on "**Private Forest**" the owner of a private forest who registered the private tree plantation land as "**Private forest**" have the right to maintain, develop, use, sell and distribute their plantation products. If private forest owners need technical assistance, the Forestry Administration can provide technical training services for afforestation and plantation management. The permit for the transportation of wood products originating from private forests to supply to customers or the local market is not required (LP). Before harvesting timber in a private forest plantation, the owner of the private forest must notify the competent local forest administration, be responsible for inspecting the amount of timber collected, and have the harvesting activities of the private forest owner written.

1.4.2 Legal Operations

Private forest owners must request their private forest logbook from the relevant local forest administration before harvesting the planted trees. Based on the Prakas on "Private Forest Rules," private forest owners must record all harvesting information in their private forest logbooks, such as the location of the harvested plot, the size of the harvested area, and the amount and the type of timber. This logbook is helpful for private forest owners to use instead of a transporting permit when transporting their products to supply to customers in the local market or for export.

Suppose an owner of a private forest wishes to establish a handicraft product factory in a private forest location. In that case, they must apply for a permit from the competent forestry administration in the relevant locality. Suppose a private forest owner intends to harvest by transplanting and relocating local tree species. The local forest administration must be informed in writing a letter, and the transporting to the market must be certified by a competent forestry administration.

1.5 Understanding the guidelines for private Forest Registration

1.5.1 Who should use these guidelines?

- Owner of private forest or private forest owner
- National and sub-national forestry administration officials
- NGOs and other stakeholders are working in the field of private forest plantations.

1.5.2 Why do private forest owners have to use these guidelines?

This guideline describes the process of establishing and registering private forests as well as explains the technical standards to private forest owners for managing and developing their plantations. Furthermore, the guideline will help private forest owners better understand the incentives set out in forest policies and legal frameworks since the implementation of forest management activities contributes to the social environment and economic efficiency. Private forest owners can learn about the process of establishing and registering private forests described in this guideline, completing application forms for registration, planting planning, and recording information in the logbook.

Moreover, the guideline also explains tree planting techniques, horticultural practices, and tree harvesting processes that are important for private forest owners and other stakeholders to study, understand, and put into practice.

1.5.3 How to use these guidelines?

The guideline has the following four chapters:

- **Chapter 1 Introduction:** The chapter presents the definition of private forest, its objectives, legal and policy framework, and national strategic plan that supports private forest owners, the right in the tree planting process, and the legitimate use of this business.
- **Chapter 2 Guideline for Private Forest Registration:** It is an essential chapter in the guideline that forest administration officials, natural persons, legal entities, and stakeholders must understand and implement the work of establishing and registering private forests as instructed in this chapter.
- **Chapter 3: Preparatory Planning for Tree Plantation and Private Forests:** it is a chapter that introduces key concepts related to site selection, establishing tree plantation and planning for planting trees. This chapter does not restrict natural persons, legal entities, or stakeholders wishing to establish and

register their private forests. It only provides fundamental ideas for consideration before deciding to plant trees.

- **Chapter 4: Harvesting and Monitoring Mechanisms for Tree Plantation and Private Forests:** This chapter describes how to harvest timber from tree plantations and private forests, recording data of plantations including planting activities, tree species, number of trees, and amount of timber harvested, in order to facilitate the competent forestry administration officials who will inspect and verify if necessary. This chapter requires private forest owners to cooperate with competent forest administration officials to ensure the management of forest sources and timber databases from plantations and private forests.

Chapter 2

Practical Procedures for Registering

This chapter aims to give forest administration officials, natural persons or legal entities of private forests and other stakeholders a better understanding of the procedures for establishing and registering private forests.

2.1 Categories and Requirements of Private Forest

2.1.1 Categories

According to Prakas No. 327 Br.K.K.S.K dated May 26, 2017, of the Ministry of Agriculture, Forestry and Fisheries, Private forests proposed for establishment are Categories according to the following sizes:

- | | |
|-------------------------------|---|
| - Family-owned private forest | : Land Area under ten hectares |
| - Small private forest | : Land Area from 10 to 100 hectares |
| - Medium-sized private forest | : Land Area from more than 100 to 1000 hectares |
| - Large-sized private forest | : Land Area of more than 1000 hectares |

2.1.2 Requirements

Requirements for applying for private forest registration include the following documents:

- Private Forest Registration Application
- Khmer Nationality Identity Card or Passport
- Proof of land tenure (certificate of land or certificate of ownership of the property)
- Plantation layout for private forest plantation
- Other relevant documents as required.

2.1.3 Consultation Before Apply for Private Forest Registration

Natural persons or private legal entities who are landowners, plantation owners, farming tree planters, or natural forest growers may consult with the specialized officers of the Department of Forestry and Private Forest Development of the Forestry Administration or the specialized officers of the Forestry Administration District before applying for private forest registration. It contains the following key points:

- Understand the process of establishing and registering private forests, applications, and related documents, as well as the benefits of registration
- Consult with officials/experts or stakeholders for information on tree species and market demand analysis that could benefit economically from private forest establishment
- Discuss with the Forestry Administration about the location of the land that can be applied for private forest registration and the selection of suitable trees for the land conditions
- Planting planning for a private forest, which you apply for registration on an area of more than 10 (ten) hectares

2.2 Private forest Registration Application Process

The process of applying for private forest registration consists of three steps as follows:

Step 1: Application: The land owner completes the application form for the establishment and registration of a private forest, along with the documents confirming the right to occupy the land, the location of the plantation, the establishment of the private forest, the type of plantation, and other relevant documents as necessary.

Step 2: Verification and Evaluation: The Forestry Administration Officer has the authority to examine the application and documents to certify the right to occupy the land, the plan of the plantation location to establish a private forest, the type of plantation, and other relevant documents as necessary, to inspect and verify the location and report to management for final decision

Step 3: Issuance of Private Forest Registration Certificate: Reviewed and decided by the competent institution to issue the certificate of private forest owner to the land owner.

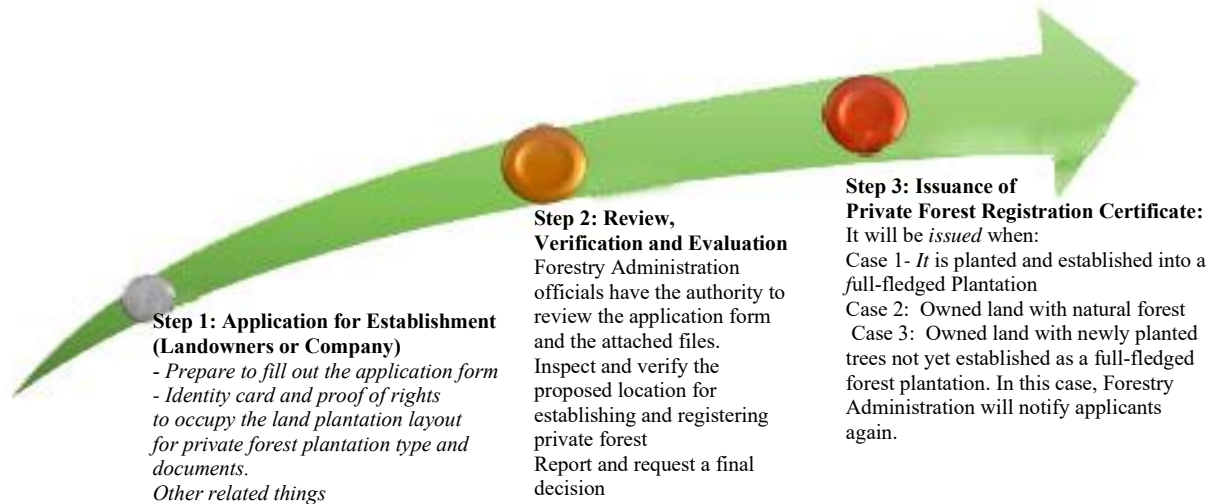


Diagram 2.1 Steps to apply for private forest registration

2.2.1 Application Procedures

Application for private forest registration can be made at the Provincial or Central Forestry Administration, depending on the type of private forest the land owner wishes to establish and register as a private forest. Natural persons or private legal entities who are landowners must attach documents with the applications as an ID card or passport, land tenure certificate, plantation site, and other relevant documents. In the case of private companies, additional information is required, such as a company certificate registered with the Ministry of Commerce or equivalent documents.

Explanations

Identity card or passport⁽¹⁾ : Original copy (not required to be certified by the local authority)

Proof of land tenure⁽²⁾ : Certificate of Identification of Real Estate Owners, Transfer of Ownership Property (Certificate of land)

Company Registration Certificate⁽³⁾ : Certificate of a company registered with the Ministry of Commerce Or equivalent files

Private Forest Plantation Plan⁽⁴⁾ : Required to submit a request for the establishment of a private forest on an land area of more than 10 (ten) hectares; planting plan examples are explained in Chapter 3 , Location of tree plantation Layout⁽⁵⁾: A map showing the location of tree planting must show the guarding points and administrative location (village, commune, district, province)

Note: Files (1) & (2) are necessary files required for natural persons
 File (1), (2) & (3) are necessary files for legal entities

Filling out the Private Forest Registration Application

Natural persons or private legal entities who are landowners applying for their private forest registration may use the application form for private forest registration as outlined in this guideline. Natural persons or private legal entities may request a sample application form for private forest registration from the Department of Plantation and Private Forest Plantation Development of the Forestry Administration or the Capital / Provincial Forestry Administration, or they can write it by themselves; all the necessary information shall be covered and attached documents as specified in the sample form in this guideline shall also be submitted.

Sample Application for Private Forest Registration Form

Sample 1: Natural Person

**Kingdom of Cambodia
Nation Religion King**

Private Forest Registration Application

My name is:.....Gender:..... Age:.....Year, with the address: House number:..... Street:.....Village:.....Commune/Sangkat.....District / Khan:.....Provincial/Capital:.....

TO

Subject: **Mr./Excellency**.....
Request for private forest registration on a land area of.....hectares as private forest.....located at Village..... Commune/Sangkat..... District/Khan.....Province/Capital

Attached: - Identity card (Copy) 02
- Proof of land tenure 02

As mentioned in the subject and attached above, I would like to grant your permission..... to register the private forest at the coordinates of pointslocated in the village.....Commune/Sangkat..... District/Khan..... Province/Capital.....with the land areas.....Hectares or number of.....tree.

Varieties of trees to be planted or planted

No.	Local Name / Industry Name	Number (Tree)	Species
1			
2			
3			
		

As mentioned above, may His Excellency.....review and decided with favor.

Day:.....Month:.....Year:.....Buddhist Era.....
.....Date:...../...../.....

Signature or Thumbprint

Contact :
Name :.....
Phone number :.....

Example 2: Private Entities (companies or the private sector)

**Kingdom of Cambodia
Nation Religion King**

Private Forest Registration Application

My name is:..... company:.....with the
address: House number:.....Street:..... Village:.....
Commune/Sangkat District/Khan:Provincial/Capital:.....

TO

Mr./Excellency.....

Subject: Request for private forest registration on a land area of.....hectares as private
forest.....located at Village..... Commune/Sangkat.....
District/Khan Province/Capital

Attached: - Identity card/Passport 02
- Proof of land tenure 02
- Reference 02

As mentioned in the subject and attached above, I would like to grant your
permission..... to register the private forest
at the coordinates of points.....located in the
village.....Commune/Sangkat.....District/Khan.....Province/Capital.....
.....with the land areas.....Hectares or number of.....tree.

Varieties of trees to be planted or planted

No.	Local Name / Industry Name	Quantity	Seed Origin
1			
2			
3			
		

As mentioned above, may His Excellency.....review and decided with favor.

Day:.....Month:.....Year:.....Buddhist
Era.....
.....Date:...../...../.....

Signature or Thumbprint

Contact :
Name :.....
Phone number :.....

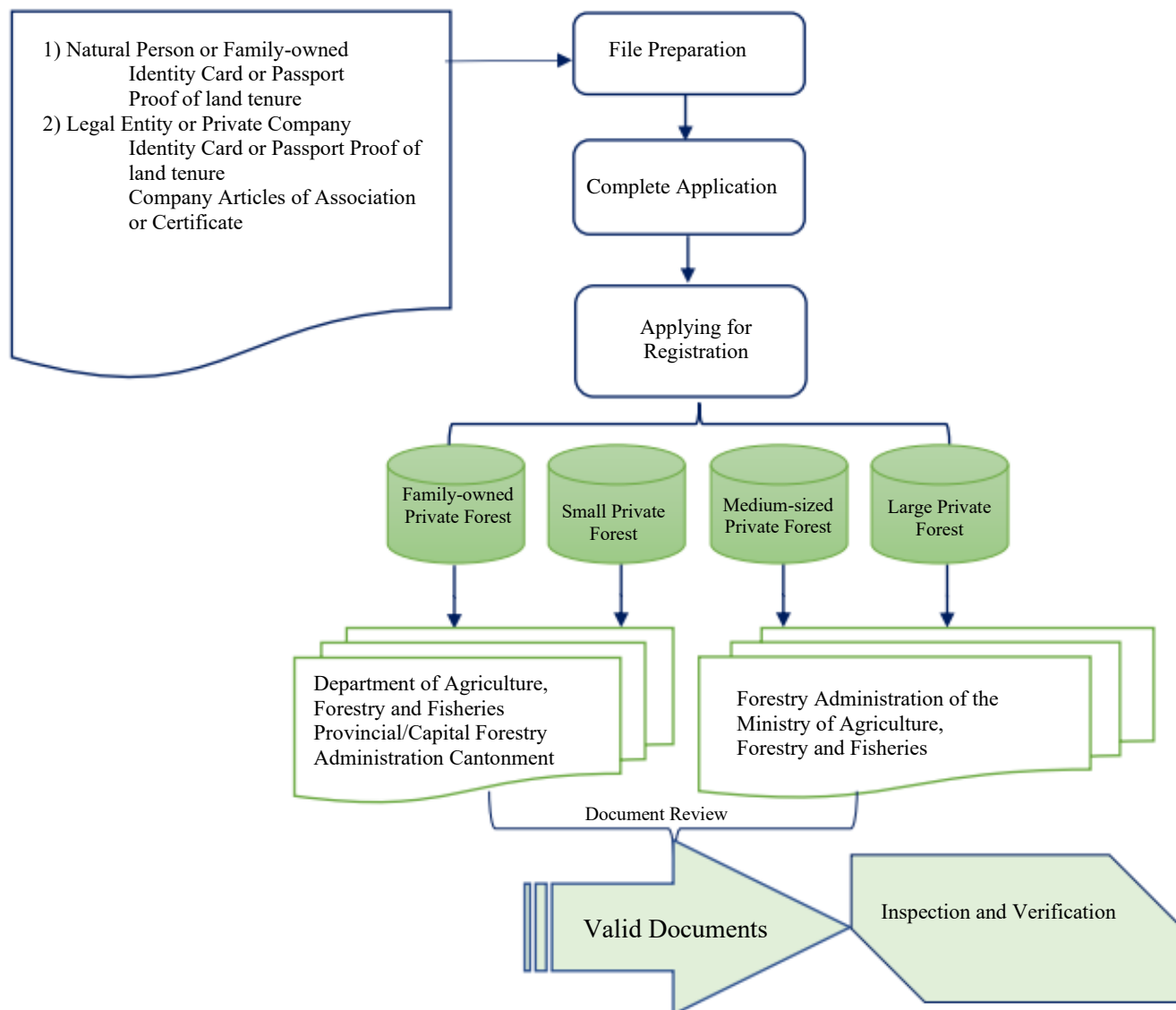


Diagram 2.2 Process to apply for private forest registration

Diagram 2.2 above shows the process of applying for private forest registration, which is applicable according to the following classifications:

- The process of applying for registration of private forest, family-owned and small size
 - o After completing the application, natural persons or legal entities must apply for registration of private forest in the Forestry Administration District (family-owned private forest) and the Department of Agriculture, Forestry and Fisheries of the relevant capital/province (small-size private forest)
 - o Are administration officers responsible for receiving applications in the Forestry Administration District or the relevant Capital/Provincial Department of Agriculture, and Fisheries shall review the documents submitted by natural persons or private legal entities o decide whether the information completed in the application and attached documents is correctly filled out according to the guideline?

- Process of applying for registration of medium-sized and Large-sized private forests
 - o After completing the applications, the natural persons or private legal entities must apply for registration of private forests at the Forestry Administration (medium-sized and large-sized private forests)
 - o Are administrative officers responsible for receiving applications at Forestry Administration need to review the files which the natural persons or private legal entities submitted to see whether the information completed in the application and attachments is correct and following the guideline?
- In case of insufficient documents, the competent Forestry Administration has the right not to continue the procedure of private forest registration requested by natural persons and/or legal entities. The Forestry Administration has the authority to prepare and send a notification letter to the natural persons and/or legal entity within 30 working days.

2.2.2 Review, Verification and Evaluation

Site inspection, verification, and evaluation shall be carried out in the second step of the private forest establishment and registration process. After receiving the application for private forest registration from a natural person or private legal entity who is the land owner, the specialized officers from the Forestry Administration will check, verify, and evaluate the applications and give an opinion. The Forestry Administration Cantonment officer may request permission from the head of their unit to inspect, collect information and evaluate the situation of the plantation site requested for private forest registration.

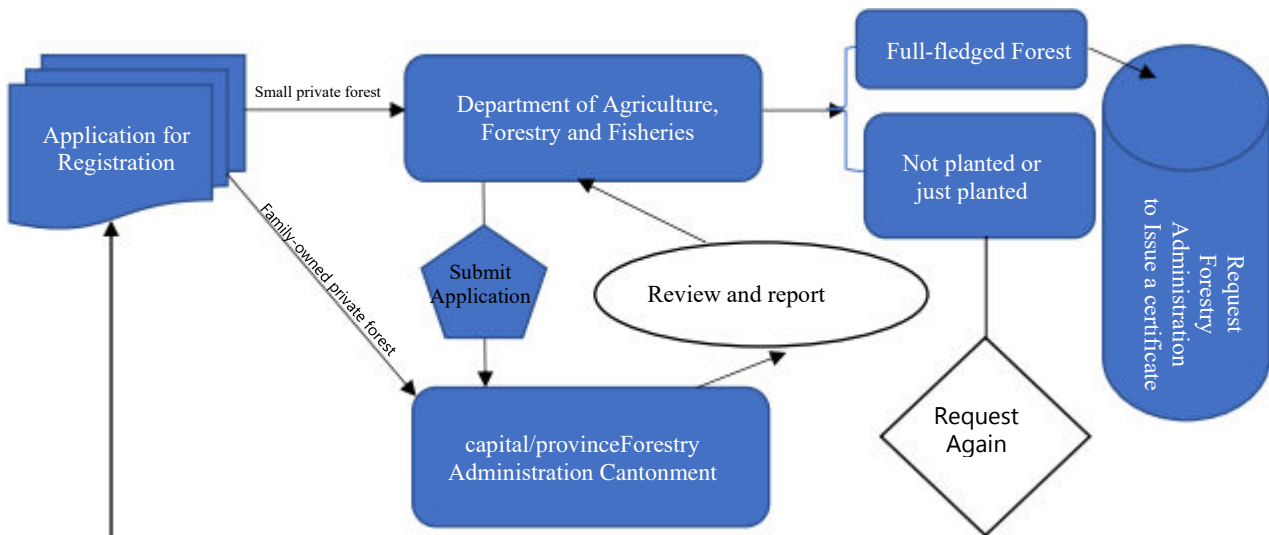


Diagram 2.3 shows the family-owned and small-sized private forests' inspection, verification, and evaluation process.

After receiving the private forest registration application, the relevant Province/Capital Department of Agriculture, Forestry and Fisheries will send this application to the Forestry Administration Cantonment for inspection and verification at the tree plantation site.

Field inspection and verification officers shall cooperate with the competent authorities and private forest owners and prepare a record of "Results of Field Inspection and Verification" and report in writing a letter to the Department of Agriculture, Forestry, and Fisheries of the capital or province to review and request the Forestry Administration to issue certification for private forest owners.

Suppose the location request for registration has yet to meet all the above conditions. In that case, The Forestry Administration has the authority to prepare a letter of notification to the natural person or private legal entity and recommend additional documents and re-applications.

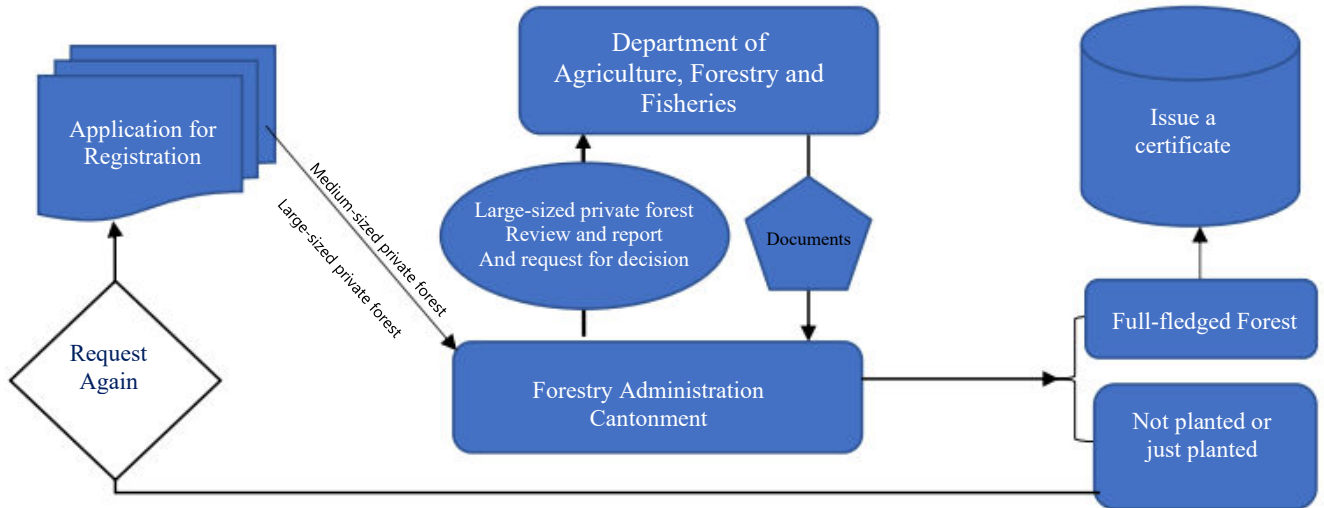


Diagram 2.4: The Flow of reviewing, verification, and evaluation of medium-sized and large-sized private forests

Diagram 2.4 shows the process of reviewing, verifying, and evaluating medium-sized and large-sized private forests. After the private forest registration application is received:

- **Medium-sized private forest:** The Forestry Administration shall appoint specialized officers to review the documents that natural persons or private legal entities have submitted. If the application documents meet the requirements of the guideline the Forestry Administration will appoint specialized officers to inspect and verify in the field.
- **Large-sized private forest:** The Forestry Administration shall appoint specialized officers to inspect, verify, evaluate and then report and request permission from the Ministry of Agriculture, Forestry, and Fisheries.

Note: If the requested site of the application for registration has not met all the conditions above, the competent Forestry Administration shall prepare a letter of notification to be sent to the natural person or private legal entity, as well as to advise them to complete additional documents and re-apply.

Forestry Administration officials inspect, verify and evaluate in the field in collaboration with stakeholders and prepare a report on "Results of Field Inspection and Evaluation" with private forest owners and report the results to the Forestry Administration for review and final review decision.

Sample of Review, Verification and Evaluation Application Form

Review, Verification and Evaluation Newsletter

Section A: Identification of Plantation Owners

- 1-Applicant's Name:
- 2-Date of birth :.....Nationality
- 3-Identity Card or Passport
Date:...../...../.....
- 4-Occupation :.....
- 5-Tree plantations : Families Private Company or Legal Entity
- 6-Permanent Address:.....
.....Phone/Fax.
..... Email
- Website.....

- 7-Private Forest Category:
 Family-owned Small-sized Medium-sized Large-sized

- 8-Total Private Forest Size or Number of Trees:Hectares or QuantitiesTree
- 9- Private Forest Location (Attached Layout or Map)
.....
.....

Section B: Land ownership Certification

- 10- Private Forest Category: Private Land (Owned) Land Lease Agreement (Long or Short Term)
 Economic Land Concession Others.....

- 11- If Private Land (Owned), Type of Property Ownership Documents
 Receipt of Tenure (1990) The Certificate of Common Ownership (State of Cambodia)
 The Property Ownership Title over Immovable Property (1991)
 Land Ownership Certificate (White Certificate)
 Others.....

- 12-Land Lease Agreement, Certificate of Ownership
 Perpetual Lease of Private Portion Economic Land Concessions Long term Lease
 Others.....

- 13 - How many years that this type of land been leased?
Does it have a leasing agreement? Yes. (if any, please attach an agreement) No.

Section C: Describing Tree Plantations or Natural Forest Accretion

14 - Purpose of Establishing a Private Forest:

- Establish rare tree plantations for export trade
- Establish a private tree plantation for harvesting and supplying to the market
- Establish a private tree plantation by planting a variety of trees for conservation and ecotourism development
- Others:

15. List of trees to be planted or planted:

No.	Species	Quantity	Land Area (ha.)	Year Planting
1				
2				
3				
			

16. Do you have a map showing the plot cultivation? Yes. (If any, please show) No.

Comments or Feedback:

.....

Day:.....Month:.....Year:.....Buddhist Era.....
Date:...../...../.....

Participants Attendance for Inspection and Evaluation:

Name	Title	Entity	Signature
.....		
.....		
.....		
.....		

Notice: The commentary can describe the obvious activities related to the plantation site or natural forest accretion, such as the situation of occupation, any conflict, land disputes, etc., and incredibly briefly describe the development status of tree plantations.

2.2.3 Provision of Private Forest Registration Certificate

The Forestry Administration will provide a certificate of private forest registration to natural persons or legal entities who have applied for private forest registration at the request of the Department of Agriculture, Forestry and Fisheries of the appropriate province or capital (family-owned and small-sized private forest), and at the request of the specialized entity under the Forestry Administration (medium-sized and large-sized private forest¹) by attaching the reports and records of field inspections and evaluations.

This private forest registration certificate will be provided to natural persons or legal entities who and applied for private forest registration within 45 working days of receiving the application and meeting the following requirements:

- Proof of land ownership in accordance with the land law (original copy)
- The proposed land location is safe
- In case of a long-term private land lease with a lease agreement and consent from the property owner to register as a private forest in writing a letter,
- planted tree species makeup at least 35% cover of the land.

In case the location of the application for registration has not met all the above conditions, the Forestry Administration has the authority to prepare a letter of notification to be sent to the natural person or private legal entity, as well as to recommend the additional documents and re-application.

The certificate of private forest registration can be issued and granted to the owner of the private land. The certificate determines the forest land size or the area and/or the number of trees or equivalent, depending on the actual situation in which the owner planted the trees, and Full-fledged or the planting of trees as fences along the border of the land, etc. The Forestry Administration determines the sample certificate of private forest registration in the following form:

¹ Large-sized private forest: Forestry Administration can issue private forest registration certificates unless a principal is authorized by the Ministry of Agriculture, Forestry and Fisheries.

Sample of Private Forest Registration Certificate (Front Side)

Kingdom of Cambodia
Nation Religion King

Ministry of Agriculture, Forestry and Fisheries
Forestry Administration



No:..... R.P/NPD

Private Forest Registration Certificate



Delegation of the Royal Government of Cambodia in charge of the Forestry Administration.

- Having seen Royal Kram (Royal Code) No. NS/RKM/082/016 dated 31 August 2002 promulgating the Law on Forestry
- Having seen Prakas No. 327 BrK.K.S.K dated 26 May 2017 on Private Forest Rules
- Having seen the application of [name]:Dated: Day:.....Month:.....Year:.....
- Reference Letter Number:.....Dated: Day:.....Month:.....Year:.....Of:.....

Certify that

Name:Gender:.....

Occupation:

Address:.....

..... Planted trees at the coordinate point..... located at

Village.....Commube/SangkatDistrict/Khan.....P

rovince/Capital..... **registered as a private**

forest.....

This certificate is given to the private owner and the private forest logbook to be used and responsible for implementation in accordance with the Prakas on the Private Forest Rules.

Day:.....Month:.....Year:.....Buddhist Era 256....

Phnom Penh, Date:...../...../.....

Delegation of the Royal Government of Cambodia
in charge of the Forestry Administration

Note: This certificate is only recognized for planted trees.

Brief outline about Process of Private Forest Registration Application

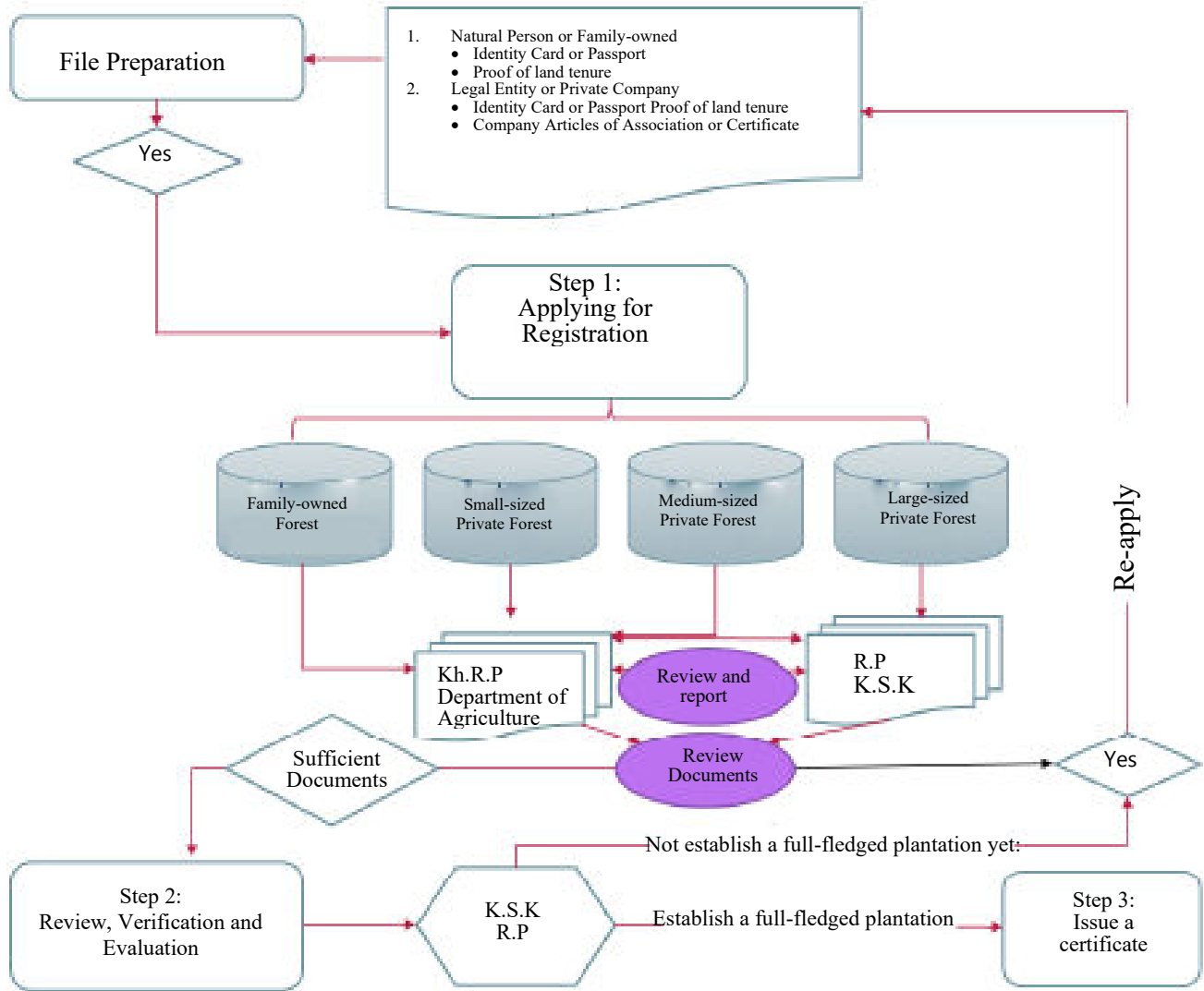


Diagram 2.5 Process of Private Forest Registration Application

Table 2.1 Application process for registration of family-owned and small-sized private forest

Steps	Process
Step 1: Applying for Register	<ul style="list-style-type: none"> After having completed the applications, natural persons or private legal entities must apply for registration of private forest in the Forestry Administration District (family-owned private forest) and the Department of Agriculture, Forestry and Fisheries of the relevant province or capital (small-sized private private forest) The administrative officers who receive the applications at the Forestry Administration District or the Department of Agriculture, Forestry and Fisheries of the appropriate province or capital shall examine the files submitted by the natural persons or the legal entities to see whether the information completed in the application and the attachments of documents are correct and in accordance with the guideline?
Step 2: Inspection, Verification and Evaluation	<ul style="list-style-type: none"> The relevant Department of Agriculture, Forestry and Fisheries shall request to send these files to the Forestry Administration in the Forestry Natural persons or private legal entities submit these files; in this case, the Forestry Administration may request permission from the Department of Agriculture, Forestry, and Fisheries of the relevant province or capital to

Steps	Process
	<ul style="list-style-type: none"> Field inspection and verification officers shall cooperate with the competent authorities and prepare "Results of Field Inspection and Verification Work" with the private forest owner, then report in writing to the Provincial/Capital Department of Agriculture, Forestry and Fisheries for review and decision.
Step 3: issuance certification (<i>Certification</i>)	The Forestry Administration will issue a certificate of private forest registration to natural persons or legal entities who have applied for private forest registration at the request of the Department of Agriculture, Forestry and Fisheries of the relevant province/capital (family-owned and small-sized private forest) by attaching the reports and records of field inspection, verification and evaluation. In case the location of the application for registration has not met all the specified conditions, the competent forestry administration shall prepare a letter of notification to be sent to the natural person or private legal entity and advise them to complete additional information and re-apply.

Table 2.2 Application Process for Registration of Medium-sized and Large-sized Private Forests Steps

Steps	Process
Step 1: Applying for Establish	<ul style="list-style-type: none"> After having completed the applications, natural persons or private legal entities must apply for registration of private forests; the applications must be with the Forestry Administration (for medium-sized private forests and large-sized private forests) Administrative officers who receive the applications at the Forestry Administration shall review the documents submitted by the natural persons or the legal entities to see whether the information completed in the application and the attached documents are in accordance with the guideline?
Step 2: Inspection, Verification and Evaluation	<ul style="list-style-type: none"> Medium-sized private forest: The Forestry Administration shall appoint specialized officers to review and verify the documents that the natural persons or private legal entities have submitted. Suppose the application and evaluation documents meet the requirements of the guideline. In that case, the Forestry Administration will in the Forestry officers of the specialized units under its supervision to inspect and verify in the field. Large-sized private forest: The Forestry Administration shall assign the officers of the specialized units under its supervision to inspect, verify and evaluate if the documents meet the requirements of the guideline and then report and request permission from the Ministry of Agriculture, Forestry and Fisheries. Field inspection and verification officers shall cooperate with the competent authorities and private forest owners, prepare a report, "Results of Field Inspection

Steps	Process
	and Verification Work," and report in writing to the Forestry Administration for review and decision.
Step 3: issuance certification (<i>Certification</i>)	The Forestry Administration will provide a certificate of private forest registration to natural persons or legal entities who have applied for private forest registration at the request of the specialized unit under the Forestry Administration (medium-sized private forest) and have the permission of the Ministry of Agriculture, Forestry and Fisheries (large private forest) by attaching reports and records of field inspection, verification and evaluation. In case the location of the application for registration has not met all the requirements specified, the competent forestry administration shall prepare a letter of notification to be sent to the natural persons or private legal entities as well as recommend them to complete additional documents and re-apply.

Chapter 3

Preparatory Planning for Tree Plantation and Private Forests

3.1 Evaluation of Tree Plantation Sites

The selection of land for a tree planting project is an essential thing that natural persons or legal entities should study carefully before deciding to purchase or joint venture to establish a private plantation and forest; they should consider social, environmental and economic factors. If private forests are established for commercial, then they can establish where the soil and climatic conditions (quantity and precipitation of rainfall) are suitable for the growth of the tree species. In addition, other locations where tree plantations are established for non-commercial could be set for private forests based on environmental and social benefits.

Location assessment and evaluation should begin at an early stage before land preparation and they should focus on the following:

- Soil conditions, flora and fauna and wildlife using fast assessment tools
- Status of land use in accordance with the land tenure system which is not related to the state's permanent forest reserve or forest of the protected area
- Economic analysis of the labor force
- Potential impacts include leaks, water pollution, water scarcity and/or lack of water sources, as well as other factors.

3.1.1 Guidelines

The establishment of private plantations and forests is the contribution of private forest owners, both natural and legal persons, in efforts to boost the national economy by establishing a source of timber supply from tree plantations and reducing the use of wood products from natural forests. This especially encourages job creation, helps increase income for local communities and cuts down poverty in rural areas.

For tree planting plans, natural persons and legal entities can consider several factors such as recreation, landscape quality, geography, biology and cultural heritage.

3.1.2 Cost Analysis

Establishing tree plantations or private forests, even small ones, is very expensive. The expenses for purchasing land, purchasing tools and equipment for planting trees, renting the land, hiring workers, building roads, building fences, maintenance, guarding and transportation. The cost will be reduced if the private forest owner has a clear plan. In this sense, please ask yourself:

- What is the purpose of creating this private forest? ((For landscape, leisure, or business)
- Is the land preparation done by labor or by machinery?
- How many fences do you need? What construction materials are used and how much do they cost? etc.

3.1.2 Economic Analysis

After the site study process, if the private forest owner has decided to plant the trees, the next task is to plan the planting. Planning for establishing a private tree plantation for commercial should include information on economic efficiency analysis to show that the plantation project will be profitable, which is used as a basis for investment decisions.

The main points to be analyzed are:

- Based on actual estimates of the area for the trees to be planted, excluding environmental costs, make actual estimates of financial revenues, establishment, maintenance, forest guarding costs, etc.
- Consider the impact of topography and accessibility of harvesting and transportation costs
- Use data from local tree plantation planting with similar conditions for estimating productivity and yield
- Consider potential risks from diseases, fires, pests, and other natural disasters.

3.2 Tree Plantation Preparation

Factors that should be considered in the preparation of tree plantations include:

- Existing plant species, is there still potential for tree replanting and usability?
- Construction of transport roads and railways for private forest plantations over 10 hectares. There have to be measured to prevent and control wildfires.
- Preventive measures against diseases and insects destroy
- Marketing plan and timber use
- Land tenure must determine the legitimacy of the site where the trees are to be planted and also see if there are any unresolved land tenure issues before planting?
- Tree plantation size does not have clear guidelines about the tree plantation size. In general, the larger the plantation, the smaller the cost per unit of land, so a change of land or a joint venture may be considered to reduce the cost of establishing a tree plantation, to keep the tree planting cost low.
- Most of the tree plantation work is done by farmers during the off-season. If the plantation is too large to manage, additional workers must be hired from outside. This problem is often encountered when preparing the plantation and when planting. The outsourcing must also be provided accommodation.

3.3 Site Selection for Tree Plantation

3.3.1 Accessibility

To reduce the cost of road construction, the location that requires minor road construction should be selected. Transportation is also expensive, so the tree plantations should:

- be near main roads and the roads
- be near supply and demand sources
- be near the villages or near the timber product

3.3.2 Topography

Topography refers to the slopes (shapes of the earth's surface), stony or rocky locations (natural features), land height, and exposure to sunlight. The slope is an essential element to consider. Steep slopes often have shallow crusts and are prone to erosion. In locations where the annual rainfall is more than 2,000 mm and the slope is steep, stratification or other measures are required. This work depends on the need to control the cost of planting trees and the cost of labor in planting trees.

3.3.3 Land Factors

–Soil Type

Alluvial and humus soils are the best types of soil for planting trees. Humus soil is often found at the bottom of slopes which is formed by the accumulation of soil and plant debris. Alluvial soil (sediment) is formed from debris that settles to the bottom of the water source, usually composed of mud and clay. The land in the middle of the slope is also suitable for planting trees. In areas with laterite near the surface, it is difficult for the tree roots to go down, and this type of soil is unsuitable for commercial tree planting.

–Land structure

The most suitable soil for planting trees is the sediment type. Sand, clay, and compacted soils are not suitable for planting. The soils with poor soil structure or floodplain can be improved by digging drainage ditches to reduce groundwater levels.

–Fertility of the soil

Alluvial soil is not always fertile, and fertilization is necessary. There may be a temporary lack of nutrients in areas with too much sediment. In areas with high rainfall, there may also be a lack of nutrients, especially the sandy soil. Organic fertilizers should be used for sandy soils to increase soil fertility and structure.

–Acidic soils

The soils that are not too acidic or too alkaline (neutral) are best suited for tree planting. Soils with low acidity or alkalinity are also suitable for tree planting work if the correct type of trees is selected for this condition.

3.4 Planning for Plantation

The plantation planting and maintenance plan requires private forest owners to prepare in case the land area of application for registration of private forest is more than 10 hectares, and the preparation must have the following essential points as shown in the sample below:

Sample

Tree Planting for Private Forest Plantation Plan

1- Introduction

2 Purpose

3- The Planting Site Status

Private forest owners must show the status of the site selected for planting, including:

The status of used land and area of plantation land

Geography: Village.....Commune.....District.....Province

Map and show the coordinate of points

Type of soil and information such as amount of rainfall and weather (if possible)

4-Methods and Implementation

4.1 Land preparation and Planting Plots

4.2 Types of Trees and Species

4.3 Planting Space

4.4 Maintenance (Clear the grass and railways)

5-Operational Planning

No.	Activities	Time	Others
1	Study and evaluation on the Site selection		
2	Selection and preparation of seedling plant		
3	Preparing the soils		
4	Cultivation work		
5	Maintenance work		
6		
7		
8		
9		
10		

6- Implementation, Monitoring and Evaluation

3.5 Implementation, Monitoring and Evaluation

Private forest owners need to check their trees regularly after planting to monitor the growth of seedlings and plant more replacements. Private forest owners may seek advice or technical assistance from competent forestry administration officials to ensure that the tree plantations are of good quality and follow the technical specifications.

3.6 Records and Information Management System

Private forest owners must cooperate with the competent forestry administration through quarterly reports on the progress of their private forest plantations, including checking tree survival rates, maintaining activities, growing rates, and planting other newly planted trees to update the private forest plantation data.

Chapter 4

Harvesting and Monitoring Mechanisms for Tree Plantation and Private Forests

This chapter describes the procedures for requesting harvesting of timber and the mechanisms for inspecting plantations that private forest owners must perform, as well as how to record the activities of planting, maintenance, and quantity of timber to be harvested in the logbook and report the harvesting activities and the amount of timber harvested to the competent Forestry Administration officer.

4.1 Harvest Operations

Harvesting is a stage where private forest owners need to think in advance about activities such as harvesting operations, marketing, and transportation to the distribution and processing sites. At this stage, private forest owners need to consider the following harvest planning:

- select a silvicultural system to implement
- Select the appropriate system for harvesting business
- Select equipment and materials for harvesting, hauling, and processing
- Plan the construction of hauling roads and transportation

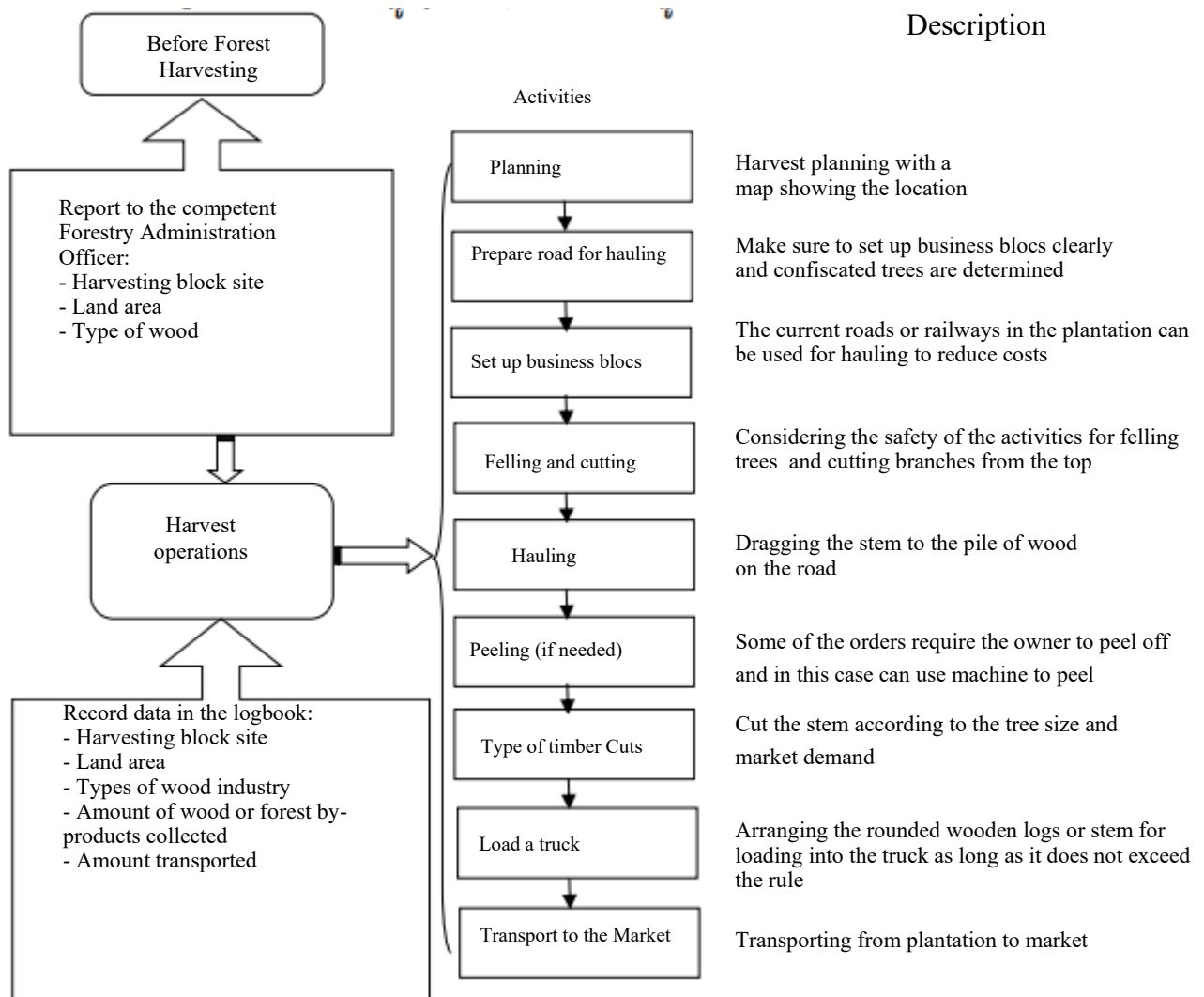


Diagram 4.1 Private Forest Harvesting Exploitation

Private forest owners who have registered their private forests have the right to harvest, use and commercialize their timber products and processed wood products originating from their private forests by abiding by the following rules:

4.1.1 Prior to Operations

Private forest owners must report in writing to the competent Forestry Administration the location of the harvest plot, the size of the area, and the type of timber to be harvested at least two weeks before the harvesting operation begins. In the case of private forests of 10 hectares or more, the owner of the private forest must attach a harvesting action plan, along with a map showing the location of the plot and the direction of transport to the market for use or distribution.

4.1.2 Commencement of Harvesting Operations

At the beginning of the harvesting operation, the private forest owners must record in their private forest charge books the location of the harvest site, the size of the harvested area, the amount of timber or by-products collected and transported from their private forest plantations for processing, supplying to local markets and for exports.

In the harvesting process, private forest owners must follow the Cambodian Code of Harvest Practices to ensure that their private forest harvesting business is secure and

- safe for workers during the tree felling
- Minimize environmental and social impacts
- Appropriate use of traction and transportation does not cause damage to the road system or erosion.
- Make the best use of the timber and reduce post-harvest wood waste so as not to cause diseases, insects or wildfires.

The competent forestry administration of the concerned locality shall manage each registered private forest document and have the right to inspect any private forest logbook as necessary or verify the harvesting activities and exploitation of forest rights in case of doubt on that private forest.

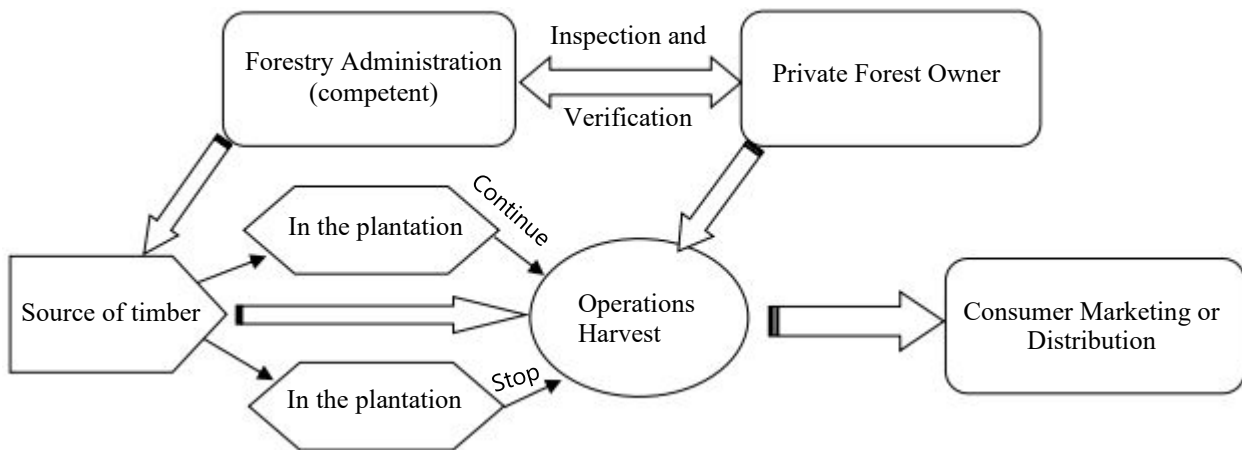


Diagram 4.2 Private Forest Harvesting and Verification Process

4.2 Mechanisms for Inspection of Private Plantations and Forests

The mechanism of inspection of plantations and private forests in this chapter is that after obtaining the certificate of registration of private forest, the private forest legal owners may request technical assistance, coordination or cooperation with the competent forestry administration officials in maintaining the tree plantations and their management based on the horticultural techniques set out in the private forest plantation plan or its private forest development plan until it is time for harvesting. Each legal owner of the private forest registered in accordance with the rules of this Prakas is responsible for keeping a record of all activities in the harvesting and exploitation of its plantations, including timber quantity data, transporting, processing, trading or usage.

Inspection of plantations and private forests shall be carried out by the legal owners of the relevant private forest and/or specialized officers of the competent Forestry Administration. The establishment of a mechanism to control private plantations and forests in this chapter is not meant to put pressure on private forest owners; the main idea is that the Forestry Administration has the authority to provide technical support services and technical orientation to the owners through the provision of training services on tree planting techniques and plantation management, from planting to establishing a full-fledged plantation and harvest.

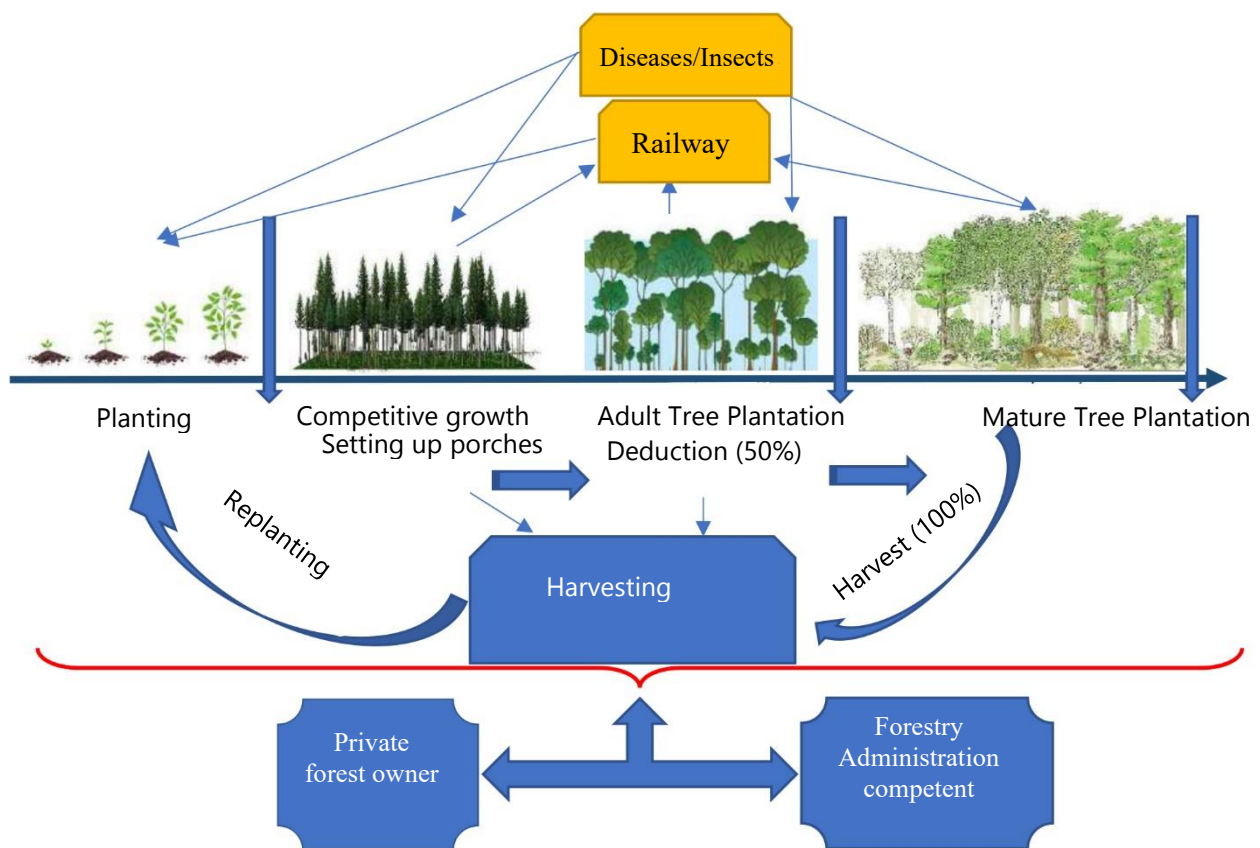


Diagram 4.3 Concepts of Inspection of Private Plantations and Forests

According to Figure 4.3 above, tree planting work requires meticulous care, from planting to harvesting. Tree planting and transformation have four main stages: cultivation, competitive growth, evolution into mature plantations, and harvesting. Each stage requires private forest owners to carry out careful monitoring and inspection. Therefore, private forest owners can cooperate with specialized officers of planting the Forestry Administration to monitor and inspect the growing conditions of the trees. They can get advice, technical orientation, training services for planting and managing planted trees, and so on.

Since the tree species and amount of trees planted in plantations and private forests are recorded in the Forest Administration's data management system when applying for private forest registration, private forest owners should record the activities carried out, such as setting up net covers during the competitive stage, harvesting 50% when the trees become mature and 100% when it is the harvesting time. This information should be provided to the competent Forestry Administration officers to deduct timber amounts from the Forestry Administration data management system.

That information must be recorded in the charge book provided by the Forestry Administration, which also provides a certificate of private forest registration. Both (charge book and certificate) will be used/needed for transporting timber products from plantations to the markets.

4.2.1 Monitoring and Inspection by Legal Owners of Private Forest

Legal owners of the private forest must check and record all activities related to private forest plantations, such as:

- Date of tree planting, tree species, number of trees and/or size of the land area (hectares)
- Cultivation results such as survival rate and growth in diameter, height and leaves
- Pruning and removing of trees and/or private forests, indicating the amount of timber collected from the activity and the amount of timber obtained
- The amount of timber harvested according to the blocks and the market's distribution direction
- Quantities and types of trees replanted or regenerated stumps

4.2.2 Record in logbook

Private forest owners must record the activities of their private forest management in their annual logbook for the monitoring, inspection, verification, or technical support intervention of the competent forestry administration officers.

Private forest activities are recorded every month for each of the following operating years:

1- Record of private forest establishment process: includes activities ranging from site preparation, plant nursery, seedling rearing, planting at the farm, maintenance, and use of silvicultural techniques on forest germination to pre-harvest stages.

2-Record of private forest harvesting process: includes the cutting down, pruning, hauling, piling, and post-harvest forest clearing, as well as information on transportation from the piles to the markets or warehouses for sale to factories or handicrafts, processing or for export.

Sample of Logbook Recording

Private Forest Identification

The private forest or tree plantation that is the subject of this logbook has the following detailed identities:

1- Name of Private Forest Owner:

2-Date of birthNationality

3-Identity Card or Passport
Date:...../...../.....

4-Occupation

5- Tree plantations: Family-owned Personal Company or Legal entity

6-Permanent

Address:

Phone/Fax..... Email.....

Website.....

7-Private Forest Category

Family-owned private forest

Small private forest

Medium-sized private forest

Large-sized private forest

8- Plant species (local name and scientific name)

(1)-Species.....

(2)-Species.....

(3)-Species.....

(4)-Species.....

.....

9-Total Amount of Private Forest:Hectares

10-Size of private forest by species type or site (if any)

(1)- Site A:Hectares

(2)- Site B:Hectares

(3)- Site C:.....Hectares

.....
.....

11- Private forest bounder (Attached Layout or Map)

A -Private forest common bounder

.....
.....

Private Forest Identification

B. Private forest bounded by site:

(1)- Site A:

.....
.....
.....

(2)- Site B:

.....
.....
.....

(3)- The site are:

.....
.....

12. Permit to establish and register private forests through the certificate of private forest registration
No:..... Date:..... /...../.....issued by the Forestry Administration

Record Sample of Establishment of Private Forest Process



Monthly:..... Year:.....

Date	Activity Record	Density (Stalk/ha.)	Planting Land Area (Stalk/ha.)	Notes

The remarks of the Competent Forestry Administration Officer in charge of the Establishment of Private Forest Process

Refer to mission order letter No:.....Date:..... /...../.....

The Forestry Administration officer in charge of leading the mission, Name:.....

Position:.....inspected, evaluated and remarked on the results of the
establishment of private Forest process as follows:

.....

Inspection Date :.....

Signature and Name of the mission officer leader :.....

Record Sample of Establishment of Private Forest Process



Monthly:..... Year:.....

Date	Activity Record	exploitation Blocs	Quantity	Amount (square or m ³)	Notes:

<p>The remarks of the Competent Forestry Administration Officer in charge of the Establishment of Private Forest Process</p> <p>Refer to mission order letter No.:.....Date:..... /...../..... the Forestry Adminstration Officer in charge of leading in the mission Name:..... Position:.....inspected, evaluated and remarked on the results of the establishment of private Forest process as follows:</p> <p>.....</p> <p>Inspection Date :..... Signature and Name of the mission officer leader:.....</p>
--

4.3 Monitoring and Inspecting the Operations

The competent Forestry Administration officers shall monitor and inspect the implementation of timber harvesting work in the plantations and private forests, including the necessary documents such as certificates of private forest registration, information recorded in the logbook and blocks and harvest sites, etc.

If necessary, the competent Forestry Administration officers will inspect the harvesting site in the field if the private forest owner does not record or complete the data recording as instructed in the logbook. Sample logbook as shown in Appendix 1 of the guideline.

Reference

- 1) The Department of Forestry (1999) Technical Code applies to forest harvesting in Cambodia. Department of Agriculture, Forestry and Fisheries.
- 2) The Department of Forestry (1999) Guidelines for Sustainable Forest Management. Department of Agriculture, Forestry and Fisheries.
- 3) Royal Government of Cambodia (2002) Law on Forestry.
- 4) Royal Government of Cambodia (2010) National Forest Programme 2010-2029.
- 5) Royal Government of Cambodia (2018) Cambodia Sustainable Development Goal Framework 2016-2030.
6. Department of Forestry (2003) Tree Plantation Techniques for Farmers: simple guidelines of how to take care seedlings.
- 7) Forestry Administration (2002) guidelines for determining the location and working tree planting. The project supports the development of Tree Seed Policies—cooperation between the Forestry Administration and the Cambodian Tree Seed Project.
- 8) Forestry Administration (2002) Forest Law Enforcement Instruction & M. DE ZOYSA, K. P.ARIYADASA & Y.Y.K. DE SILVA (2002). Private Forest Plantation Development in Sri Lanka: Issues and challenges. Paper presented at the IUFRO Science/Policy Interface Task Force regional meeting held in Chennai, India at the M.S. Swaminathan Research Foundation, 16-19 July 2002[†]
10. Swoyambhu M. Amatya, and Prakash Lamsal (2017). Private Forests in Nepal: Status and Policy Analysis. Department of Forests, Government of Nepal. Journal of Forest and Livelihood 15(1) September, 2017.
11. Northern New South Wales Forestry Services (2002). The private native forest and plantation resources. NSW Department of State and Regional Development and Agriculture Fisheries and Forestry Australia

Legislations:

- Sub-Decree No. 53RNKr.BK Dated April 01, 2005, on the Procedure for Establishment, Classification and Registration of Permanent Forest Treasure
- Sub-Decree No. 26RNKr.BK Dated March 25, 2008 on the rules for granting the right to use state forest land for planting the trees
- Prakas No. 327Br.K. K.S.K Dated 26 June 2017, of the Ministry of Agriculture, Forestry and Fisheries on "Private Forest Rules"

Kingdom of Cambodia
Nation Religion King

Ministry of Agriculture, Forestry and Fisheries
Forestry Administration
No:..... R.P. NPD

LOGBOOK FOREST OWNED

Month.... Year 20.....

Section 1
General Regulations

Article 1

The private forest logbook is designed to be used to record all private forest harvesting business activities of the owners of the private forest registered in accordance with Article 16, Chapter 3, Proclamation No.327 Br.K.K.S.K dated May 26, 2017, of the Ministry of Agriculture, Forestry and Fisheries on the private forest rules.

Article 2.

Private Forest Logbook aims:

- To facilitate private forest owners in terms of collecting, processing and trading non-timber forest products derived from their private forests
- to be used as a database for competent officials to monitor and verify the harvesting, transporting, processing and trading of the private forest owners.

Article 3.

This logbook applies to private forests already registered in accordance with Prakas on the Private Forest Rules.

Chapter 2
Private Forest Identification

Article 4.

The private forest or tree plantation that is the subject of this logbook has the following detailed identities:

1- Name of Private Forest Owner:

2-Date of birth :.....Nationality

3-Identity Card or Passport :.....

Date:...../...../.....

4-Occupation

5- Family-owned Personal Company or Legal entity.

6-Permanent Address: :

Phone/Fax.....Email.....

Website.....

7-Type of Private Forest

- | | |
|--|--|
| <input type="checkbox"/> Family-owned private forest | <input type="checkbox"/> Medium-sized private forest |
| <input type="checkbox"/> Small private forest | <input type="checkbox"/> Large-sized private forest |

8- Plant species (local name and scientific name)

- (1)-Species.....
- (2)-Species.....
- (3)-species.....
- (4)-species.....
- (5)-species.....

9-Total Amount of Private Forest:hectares

10-Size of private forest by species type or site (if any)

(1)-Site A:hectares

(2)-Site B:hectares

(3)-Site C:hectares

.....

11- Private forest bounder (Attached Layout or Map)

A -Private forest common bounder:

.....
.....

B. Private forest bounder by site

(1)- Site A:

.....
.....

(2)- Site B:

.....
.....

(3)- The site are:

.....
.....

12. Permit to establish and register private forests through the certificate of private forest registration

No:..... Date:..... /..... /.....issued by the Forestry Administration



Section 3

Private Forest Harvesting Exploitation

Article 5.

Private forest owners have the right to harvest private forests without applying for a harvesting permit. Private forest owners must in writing notify the Forestry Administration of the Department of Agriculture, Forestry and Fisheries in the relevant province or capital at least 15 (fifteen) days before the harvesting operation begins, stating:

- the harvest date, site, area (size), type of timber and amount of timber to be harvested
- Means and equipment for harvesting operations.
- Certificate number and registration date

Article 6.

To ensure occupational safety before and during harvesting operations, private forest owners must prepare such systems as roads, fields, piles, the cutting down, hauling and transportation.

- Follow technical standards such as cutting down, hauling, transporting, and piling in order to maintain public order and to contribute to the preservation of the environment and society
- Be responsible and take high precautions for damage caused by any accident, such as wildfires and other hazards.

Article 7.

In case of temporary suspension of harvesting operations, private forest owners must notify the competent Forestry Administration District in writing, stating the reason and the date of operation of harvesting the timber again.

Article 8.

- After completing the harvesting operation, the private forest owners must:
- Clear up and clean its location appropriately
- Provide information on the actual amount of timber in writing to the relevant Forestry Administration.

Article 9.

Transportation of forest products from private forests to local markets, such as factories, handicrafts, processing facilities, and warehouses, does not require a transport permit. Still, private forest owners must notify writing to the competent Forestry Administration to inform this activity at least 3 (three) days before the date of shipment.

Article 10.

Private forest owners must facilitate forest officers in charge of inspecting and verifying all the activities of harvesting timber if necessary.

Section 4
Private Forest Owners' Obligations

Article 11.

Private forest owners are obliged to record in the monthly logbook of private forests in the following operating year:

1- Record of private forest establishment process: includes activities ranging from site preparation, plant nursery, seedling rearing, planting at the farm, maintenance, and use of silvicultural techniques on forest germination to pre-harvest stages (Annex 1).

2-Record the operation of private forest harvesting business: including date, tree type, site, size or area and the amount of timber harvested, the type of timber, the quantity transported to the destination, etc. (Annex 2)

Article 12.

Private forest owners must adhere to and comply with the essence of this logbook, as well as the adequate provisions of the Forest Law and the relevant legislation.

Private forest owners are responsible for any offenses in the relevant private forest zone.

Section 5
File Archive

Article 13.

The private forest logbook is prepared in 04 copies and is kept at:

- | | |
|--|----|
| - Forestry Administration | 02 |
| - The Department of Forest Plantation and Private Forest Development | 02 |
| - Relevant Forestry Administration | 02 |
| - Private Forest Owner | 02 |

Article 13.

The owner of the private forest read and understood the essence of this private forest logbook and promises to adhere to and comply with the provisions of this logbook with a high sense of responsibility.

Day:.....Month:.....Year:.....Buddhist Era 25....
..... Date:...../...../.....

Private Forest Owner

Have seen
Delegation of the Royal Government of Cambodia
in charge of the Forestry Administration

Annex 1
Record of Private Forest Harvesting Process



No.	Date	Species	Block Site	Land area	Amount of wood

Day:.....Month:.....Year:.....Buddhist Era 25....
 Date:...../...../.....

Signature or thumbprint (Private Forest Owner)

Annex 2
Record of Private Forest Harvesting Exploitation Activities

No.	Date	Species	Amount of Transport	Direction of Transport	Purpose of Use

Day:.....Month:.....Year:.....Buddhist Era 25....
Date:...../...../.....

Signature or thumbprint (Private Forest Owner)



Forestry Administration

#40, Preah Norodom Blvd, Sangkat Phsar Kandal, Khan Daun Penh, Phnom Penh