

Conflict Sensitivity in Practice:

A Cambodian Case Study

About Cord

Cord is an international charity working to make peace a reality where people don't have the freedom to exercise their rights. We work to build the relationship between those in power and local communities

People flourish when all parts of society work together. Peaceful relationships make that possible. The simple act of talking begins a journey of growth which transforms mistrust, includes the excluded and turns adversaries into allies.

Cord recognises that relationships are like seeds. They are the beginning of point needed to make peace a reality. It is only once trust puts down roots that you can start to tackle the issues that can lead to violence such as poverty, denial of rights or cultural division. We turn those seeds and roots of peace into a blossoming garden in three key ways.

We provide people with new skills and confidence. We open the doors to make connections possible between key groups that were previously distanced from one another. We ensure that everyone understands their rights, responsibilities and resulting power. Like a well-cared for garden, peace can grow and stand fast, weathering whatever comes next. This makes it possible for communities to have futures where its members live free from the threat of violence, being wrongly arrested or being mistreated.

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Executive Summary

This paper is a case study of Cord's conflict sensitivity programming in relation to natural resource management in Cambodia. The aim of the paper is to contribute towards communities of practice in the aid sector generally, but also sub-thematic areas, such as advocacy, conflict and natural resource management. The analysis begins with a focus on Cambodia's historical and contemporary dynamics to ensure appropriate contextualisation, before looking at the specifics of Cord's programming. The subsequent sections look not just at Cord's work on conflict sensitivity, but also various tensions that emerge between conflict sensitivity and advocacy in relation to natural resource issues.

The paper illuminates a diversity of issues that require further discussion and analysis amongst actors working on natural resources issues in Cambodia and elsewhere. Cord's work has achieved significant success in improving communities' access to and control over natural resources, particularly the peaceful resolution of conflicts. Communities and partner NGOs speak positively about Cord's work and there is extensive evidence of effective application. This occurs at both the community and household level, where the latter is part of the positive outcomes for women's empowerment.

Despite positive impacts and substantiated examples of peaceful conflict resolution, the drivers of conflict over natural resources remain acute in Cambodia. This raises questions about the role of conflict sensitivity in relation to broader dynamics.

The six main findings are as follows:

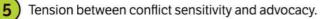
Positive perceptions, but mixed retention of conflict sensitivity initiatives.

- Peaceful and equitable resolution of conflicts.
- 3

Significant advance in gender equity.



Systemic drivers of conflict persist.



Culture of aid dependency and legitimate needs.



Historically, some of the most significant systemic improvements in natural resource management, such as the moratorium on Economic Land Concessions (ELCs) resulted from persistent and often confrontational advocacy efforts, such as the Boueng Kak and Areng Valley protest movements. Although civic space for such advocacy has dramatically shrunk in recent years, pursuing systemic reforms remains critical.

Cord's work on conflict sensitivity recognises such dynamics and should be understood as part of broader programming that includes policy and governance reform objectives. However, the common (mis) interpretation of conflict sensitivity as promoting conflict avoidance is an issue that must be addressed within the sector. Many interviewees viewed conflict sensitivity as preferencing 'soft' over 'hard' advocacy, even though such a clear binary does not exist.

Conflict sensitivity is not about avoiding confrontation, but about taking informed, intentional actions that seek to minimise harm, but also maximise positive impacts.

This paper explores many of these themes, grounded upon an extensive literature review and field visits that included 16 interviews with Cord conflict sensitivity facilitators, NGO partners and communities. As communities across Cambodia and globally continue to face challenges related to natural resource management, including significant violence, it is hoped that this paper can contribute towards further consideration of how best to serve affected communities.

Acronyms

CNRP Cambodian National Rescue Party

DNH Do No Harm

ELC Economic Land Concession

HRD Human Rights Defender

LANGO Law on Associations and NGOs LMAP Land Management and Administration Project

NGO Non-Government Organisation

NVC Non-Violent Communication

PLCN Prey Lang Community Network

SPIRIT Strengthening and Protecting Indigenous Rights to Traditional Land

UN United Nations



The Contemporary Cambodian Context

To understand and analyse Cord's work on conflict sensitivity, it must first be embedded within Cambodia's contemporary context, which is heavily shaped by a diversity of intersecting factors. Since the arrival of the United Nations' (UN) peacekeeping force in 1991 and UN-backed elections in 1993, Cambodia has undergone immense political, social and economic transformations that have also triggered significant conflict and tension across the country.

This section provides a brief overview of some of these dynamics and their relevance to conflict sensitivity in the current Cambodian context.

Political Contestation

Despite the international community's efforts to promote democracy in Cambodia over the past three decades, the country is now essentially a one-party state with ever-decreasing civil and political liberties.

The 2013 national elections were arguably the pinnacle of competitive electoral politics in contemporary Cambodia, where a tightly contested election and claims of irregularities led to mass protests. Dispossession and marginalisation related to land were major driving forces of frustration across the country and the desire for change. An estimated 700,000 people were affected by land disputes in 2013.¹ Ultimately, a 'power sharing' arrangement was reached. This arrangement diffused tension and precipitated a dramatic closing of political and civic space. This included the subsequent 2017 dissolution and banning of the main opposition party, the Cambodian National Rescue Party (CNRP), outlawing of prominent civil society activist organisations, such as Mother Nature, and banning of critical news outlets, like The Cambodia Daily.

Whereas Cambodia had previously maintained an appearance of democracy and basic rights, by the late 2010s, it was an outwardly authoritarian state. Civil society actors continue to face intimidation, including violence, detention and oppressive constraints on their activities.

¹ ADHOC 2014. https://www.adhoccambodia.org/report-land-situation-in-cambodia-in-2013-2



Economic Tensions

Following Vietnam's socialist tutelage throughout the 1980s, Cambodia rapidly shifted to a market-based economy during the 1990s, even including a commitment to free markets in its constitution.

The ensuing economic model has been labelled 'violent neoliberalism,' ² as relative peace and stability enabled the rapid expansion of extractive industries across the country. The vast scale of extraction led to burgeoning inequalities, as elites profiteered, while displaced and dispossessed communities faced increasing hardship. Although the country has made significant progress in reducing poverty over the past three decades, inequality is pronounced.

The proliferation of Economic Land Concessions (ELCs) and rampant logging of forests have become a flashpoint for conflict between communities, companies and authorities. Burgeoning civil society pressure contributed to a government moratorium on ELCs in 2012, but land grabs, deforestation and related disputes continue to be prevalent across the country.



Social Dynamics

The impact of genocide and decades of civil war are far reaching in Cambodia. Post traumatic stress disorder is widespread across the country, alongside other issues, such as fear of conflict and avoidance of confrontation.

In the face of rampant land dispossession and rapidly disappearing forests and natural resources, these social factors have heavily influenced the responses of affected people. Despite these historical influences, grassroots mobilisation against dispossession and extraction gradually emerged, peaking in the early 2010s. The Prey Lang Community Network (PLCN), Bouenk Kak and Borei Keila protests and the Areng Valley anti-dam campaign are just some of the examples of burgeoning solidarity, albeit issue-based, movements across the country.

Whereas the government actively sought dissent to be channelled through NGOs, this emerging grassroots activism adopted confrontational tactics, as they sought to challenge the state's rapacious development model.

2 Springer, Simon, 2015. Violent Neoliberalism: Development, Discourse and Dispossession in Cambodia.

Following the 2013 contested election, government crackdowns have rendered such activism near non-existent, with the high profile arrests of five staff from the human rights organisation ADHOC and outlawing of Mother Nature, two of the most prominent examples of increasing control. The potential for grassroots mobilisation remains highly limited, as evidenced by prominent environmental activist, Ouch Leng, being arrested and detained in early 2021 for simply putting up a banner with an environmental message in Prey Lang National Park.



International Aid and Civil Society

Since the arrival of UNTAC, billions of dollars of international aid have flowed into Cambodia, much of which has focused on strengthening civil society.

The results are subject to extensive debate. A prominent strand of analysis argues that civil society has become NGOised, concentrated in service delivery and avoidant of advocacy.³ It is argued that the prevalence of NGOs gives an illusion of civil society.⁴ The immense humanitarian and reconstruction needs in Cambodia following decades of civil war certainly contributed towards this trajectory. However, the lasting impact of social dislocation and initial lack of endogenous civil society actors have also been significant factors in shaping civil society, not just international aid.

The government has actively cultivated NGOs as the main form of civil society, as they are seen as easier to control, as reflected in the 2016 introduction of the Law on Associations and NGOs (LANGO). LANGO forces civil society actors to register and thus fall within greater control of the government or be deemed illegal.

³ Henke, Roger, 2011. "NGOs, People's Movements and Natural Resources in Cambodia" in Hughes, Caroline and Un, Kheang (eds) Cambodia's Economic Transformation.

⁴ Ou, Sivhuoch and Kim, Sedara, 2014. 'NGOs and the Illusion of Civil Society in Cambodia' in Waibel, Gabi, Ehlert, Judith, and Feur, Hart (eds) Southeast Asia and the Civil Society Gaze: Scoping a Contested Concept in Cambodia and Vietnam.

The fruits of civil society development beyond NGOs are seemingly more evident in the period surrounding the 2013 election. Boueng Kak and Borei Keila residents persisted with protests, despite violent responses from authorities, and PLCN engaged in creative, grassroots advocacy and mobilisation. Mother Nature and communities' confrontational protests against the proposed Areng Valley dam also triggered major confrontation with the state, which did result in suspension of the proposed dam.

Civil society activism swelled during this period, representing a dynamism beyond dominant characterisations of civil society as service-oriented NGOs. However, the violent and intimidatory response from authorities illustrated the limits on these burgeoning forms of activism.

Nonetheless, these varying critiques of international aid and civil society are important for contextualising Cord's efforts to support conflict sensitivity in Cambodia, as part of broader civil society and state relations.

Present Day: Natural Resources, Conflict and Violence

As of 2022, natural resources remain the epicentre of conflict and violence in Cambodia, particularly land disputes and people's loss of access to natural resources, such as forests and rivers.

The assassinations of high-profile actors, such as Chut Vutthy (2012) and Kem Ly (2016), are commonly viewed as warnings to activists. Communities face acute risks of violence, particularly when in remote areas. In 2018 alone, three forest patrollers and six indigenous community members were killed. Cambodia has been labelled by the UN Special Rapporteur for Human Rights as one of the most dangerous countries in the world for environmental and human rights activists.

Although the moratorium on ELCs remains, conflict over land remains widespread, while illegal logging persists across the country. Visible, large-scale protests are largely silenced due to government controls, but activists and communities maintain efforts to protect their land and access to natural resources. It is this challenging and fragile context that has motivated Cord's efforts to work on conflict sensitivity, including do no harm (DNH) and non-violent communication (NVC).

Cord's Work in Cambodia

Cord is an international charity that has been working in Southeast Asia since 1967 and engaged with Cambodia since the 1975 refugee crisis.

Cord utilises a people and relationship-oriented approach to advancing human rights, particularly the use of non-violent and collaborative methodologies. This centres on building long-term partnerships with civil society actors, government authorities and other organisations.

Focusing on capacity strengthening for partners, Cord aims to contribute towards lasting change through strengthening organisational, programmatic, strategic and individual skills.

These efforts are focused on contributing to peaceful communities, social cohesion, economic resilience, respect for human rights, strengthening democracy and empowering women. For Cambodia, this means a major focus on securing and expanding fundamental freedoms, such as those outlined in the Universal Declaration of Human Rights and related covenants.



Compared to many development organisations, Cord has a distinct and primary focus on peacebuilding and working in fragile countries. Cord's strategy for Cambodia focuses on the following two core programmatic areas, with an underlying approach centred on expanding human rights and fundamental freedoms:

Natural Resource Management: this work focuses particularly on indigenous people's land rights, such as securing communal land titles and peaceful resolution of land disputes. This involves collaboration with environmental activists and human rights defenders, plus partnerships with aligned organisations.

Women's Empowerment: this work addresses the structural marginalisation of women, such as in politics and decision-making from the micro to macro levels, plus issues such as gender-based violence. Cord works with both civil society actors and the Ministry of Women's Affairs.

Cord's work on conflict sensitivity in Cambodia is part of a broader European Union and Swiss Development and Cooperation-funded programme 'Strengthening and Protecting Indigenous Rights to Traditional Land' (SPIRIT). The objective of the SPIRIT programme is to strengthen collaboration and joint action between indigenous human rights defenders (HRDs), the state and the private sector, specifically in relation to land rights.

This includes the following outcome areas:



Enabling indigenous HRDs to utilise digital technology in a safe, more effective way to support their work.



Enabling indigenous HRDs to be resilient to short-term financial pressures and plan for more sustainable impact.



Enabling indigenous HRDs to successfully defend and secure land rights through effective application of legal and formal mechanisms.



Ensuring that indigenous HRDs are included in policy and legislative decision making processes.

The focus of this case study is on Cord's conflict sensitivity work, including DNH and NVC, which is part of the SPIRIT programme. Although the analytical focus is on conflict sensitivity, it's important to understand that this is only one part of a broader programmatic footprint, where the sum is bigger than the individual parts.

For example, conflict sensitivity is synthesised with advocacy and policy efforts, with primary focuses on women and indigenous people's rights.

This case study is not intended as a review or evaluation, even if there are some similarities in approach and analysis.

The intention of this case study is to examine Cord's work on conflict sensitivity, provide analytical insights and ultimately stimulate discussion.

This is to contribute to communities of practice across both the development and peacebuilding sectors, where there is significant discussion and debates about the application of conflict sensitivity, alongside how international aid engages with civil society.



The Problem: Conflict Over Natural Resources



Following the transition towards relative peace and stability during the 1990s, conflict over natural resources, centred on insecure land tenure, has been one of the most controversial issues in Cambodia.

Emerging from genocide and civil war, people lacked land titles, both in urban and rural areas, creating conditions for significant conflict. Increasing peace and stability led to an influx of foreign investment and rampant extraction of natural resources, particularly timber, plus widespread land grabs.

In 2002, the World Bank launched the Land Management and Administration Project (LMAP) to roll out land titles across the country, with the intention of increasing land tenure security.

The project was plagued with delays and was concentrated in less sensitive areas, where land disputes were not as common. Areas rich in natural resources faced the most intense land disputes and benefitted least from LMAP, such as Mondulkiri and Ratanikiri.

Indigenous people and ethnic minorities were at further disadvantage, due to language and literacy barriers, plus a historical lack of engagement with the state.

The 2001 Land Law was technically progressive, such as allowing communal land titling, but application of the law has been problematic, exacerbated by the lack of an independent judiciary. As resource extraction escalated and land prices grew rapidly. the scale of land conflict continually expanded. It was estimated that 700,000 people were affected by land disputes across Cambodia in 2012.⁵

ELCs were the primary driver of disputes. However, other sources of conflict included widespread illegal deforestation and the expansion of hydropower displacing people and damaging river systems.

The impacts of rampant natural resource extraction and opposition has been widespread across Cambodia, Large-scale deforestation has severely degraded the environment, while denving communities access to non-timber forest products. Communities, often indigenous, living in remote areas have faced the most intense hardship, as they are unable to access resin and other sustainable resources for their livelihoods.

Cambodia's vast riverine systems are also facing crisis from illegal fishing and hydropower projects, most notably Lower Sesan Two within Cambodia, but also upstream dams that wreak havoc on the Mekong and Tonle Sap ecosystems. Declining fish stocks, Cambodia's number one source of protein, are undermining livelihoods, reducing food security and exacerbating conflict.

Opposition to rampant resource extraction has taken a number of forms that have changed over the years, as civic space has shrunk. At the peak of civil society activism in the early 2010s, the Boueng Kak and Borei Keila communities epitomised urban resistance, as they were forcibly displaced to make way for urban development projects. The communities focused on community mobilisation.



After failing to achieve success through dialogue, petition writing and other engagement, they shifted towards protest and more adversarial tactics. Boueng Kak residents also engaged with the World Bank's accountability mechanism, which led to a temporary suspension of World Bank funding to Cambodia.

At the height of protests, both communities faced substantial violence from police and authorities, and many community members were detained, some on numerous occasions.

A drawn out process of opposition and violent suppression ultimately led to a settlement that remained problematic for displaced residents, but represented a significant improvement from the initial offer.

It also brought greater attention to the need to address land conflicts in Cambodia. The approaches of both communities were renowned for their passionate protest that garnered global media attention.

The cases of Boueng Kak and Borei Keila are prescient when analysing conflict sensitivity, raising questions about the intersections between advocacy, confrontation, risk appetites and results.

A contrasting, but equally prominent case of resistance is PLCN. Established as a means to protect the Prey Lang forest, PLCN is grounded in principles of non-violent, direct action, where they documented illegal logging and conducted forest patrols, amongst other approaches to forest protection.

They also engaged in national level advocacy, such as a globally recognised protest in Phnom Penh where they wore Avatar masks to symbolise their role as forest protectors. Although PLCN did not face the extent of violence directed towards Boueng Kak and Borei Keila residents, they have also faced extensive suppression and structural violence. They are still in existence, but struggle to operate freely, as authorities have heavily constrained their actions, such as requiring permission to conduct patrols.

Despite PLCN's continued efforts and the declaration of much of Prey Lang as a national park, deforestation remains widespread. However, PLCN and others' advocacy efforts contributed towards the 2012 moratorium on ELCs, which remains a major achievement.

Violence against environmentalists in rural and remote areas remains commonplace, even when activists, such as PLCN, adhere to non-violent, direct action approaches. The assassination of Chut Vutthy in the Koh Kong jungle in 2012 was one of the most prominent cases.

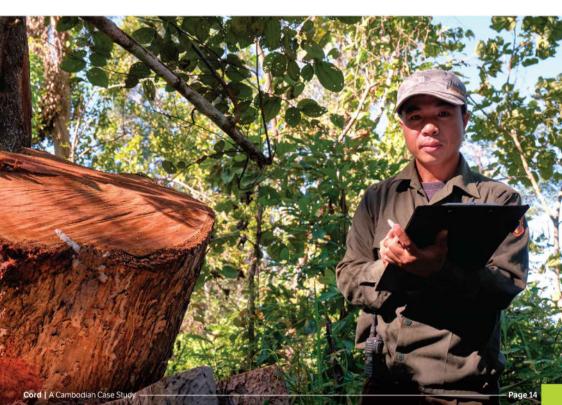
More recently, Mother Nature activists are routinely arrested for their activism. Community members lacking major public profiles face some of the highest risks, such as the murder of community activists in 2018.

Despite the moratorium on ELCs significantly reducing conflict over land across Cambodia, disputes and conflict remain prevalent across the country. Interviewees for this paper indicated that disputes between companies and communities were the most common cause of conflict. This type of conflict involves companies encroaching on community land and can quickly escalate into broader confrontation.

Illegal logging is also a common problem, particularly the destruction of resin trees that communities sustainably tap for income generation. Logging of spirit and ancestral forests also causes significant conflict. Disputes and conflict can also arise between communities when they encroach on each other's land or access to natural resources, such as protected areas or community forests.

Finally, although not directly related to natural resources and land, community level conflict is observed when NGOs provide aid to certain people or communities in ways that are deemed unfair within the community or by nearby communities.

The persistence of various forms of conflict underpins the logic of Cord's efforts to strengthen conflict sensitivity skills in Cambodia.





This section has outlined some of the dynamics related to contemporary conflict over natural resources.

Boueng Kak, Borei Keila and PLCN are specifically included because they illustrate the tensions between the importance of confrontational activism, but also the risks of violent suppression. These examples raise important questions about how best to advocate for systemic improvements in land tenure and equitable access to natural resources, while also seeking to minimise violence.

The severe constraints on civil society space in the current context raise further questions around what is feasible. Multiple analyses in the 2000s and 2010s suggested that by diffusing tensions between communities and the state, NGOs actually undermined the potential for resolution of structural problems.⁶

Is it the same now or is reducing conflict necessary in a highly constrained environment?

6 Ou, Sivhuoch and Kim, Sedara, 2013. 20 Years' Strengthening of Cambodian Civil Society: Time for Reflection.

An Overview of Conflict Sensitivity

This section provides a brief overview of key elements related to conflict sensitivity that help in understanding its application by Cord in Cambodia. Conflict sensitivity is far more complex and detailed than outlined below, with the references providing further information.

The overview is followed by a short analysis of some of the tension between conflict sensitivity and advocacy.

What is Conflict Sensitivity?

At its core, conflict sensitivity is about understanding that any action or initiative in a conflict-affected environment interacts with that conflict and will have certain consequences, negative and/or positive. It is a deliberate and systematic approach to understanding and minimising negative and maximising positive impacts.

Conflict sensitivity involves:

Understanding the context

Understanding the interaction between your engagement and the context and Acting upon this understanding to minimise negative and maximise positive impacts.⁷



Conflict sensitivity does not mean avoiding conflict, yet this is a common misinterpretation that leads to criticism of conflict sensitivity as demobilising advocates and promoting passivity. Within the broad focus of understanding the context and one's engagement with it, conflict sensitivity is underpinned by other key concepts, such as understanding:

Causes of conflict Types of conflict Negative and positive peace Gender dynamics and Approaches to dealing with conflict ⁸

The application and meaning of conflict sensitivity has some variation between the institutional and community levels. For institutions, specifically those involved in the delivery of aid, it requires a focus on understanding how that aid could impact conflict dynamics and seeking to minimise the negative and maximise the positive.

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/765453/SU_Conflict_ Sensitivity_Guidance.pdf

⁸ http://cafod.azurewebsites.net/ConflictSensitivityToolkit.pdf

For example, understanding how the distribution of livelihoods support to a particular group of people may impact broader groups of people.

At the community and individual level, the intention of conflict sensitivity is the same, but because their actions are different to aid providers, the focus is different. For example, if a community identifies illegal logging as an issue to address, conflict sensitivity informs their actions to remedy the illegal logging, such as how their actions may diffuse or exacerbate conflict, while still seeking to solve the issue of illegal logging.

There is a broad array of tools to contribute towards conflict sensitivity of which Do No Harm (DNH) and Non-Violent Communication (NVC) are perhaps the most prominent. The popularity of DNH particularly has made it nearly synonymous with conflict sensitivity, but it should be understood as a tool for a broader process.

What is Do No Harm?

DNH is commonly (mis) used within the aid sector, often interchangeably with conflict sensitivity, but is actually a specific tool and framework to contribute towards a broader approach of conflict sensitivity.

The DNH framework is built upon six central lessons, developed from a comprehensive research and design process. Focusing on the context, it seeks to help understanding of the complex relations and interactions between actors.

The six key lessons form the basis of the framework and relating analysis.

- 1) When any intervention enters a context, it becomes part of the context.
- 2) Every context is characterised by two sets of factors: Dividers and Connectors.
- 3) Any intervention will interact with Dividers and Connectors.
 - There are predictable patterns in which aid connects with conflict.
- 5) The details of an intervention matter.
- 6) There are always options.⁹

Non-Violent Communication

NVC is an approach to communication that is active and based on the principles of non-violence, whether verbal or physical. It is based in the belief that people are compassionate and can reach common ground, where language, voice and body language are highly influential.

At the individual level, it means seeking to understand the other actor and avoiding violence, while at broader levels, it can also be connected to non-violent actions, whether protests, petition writing or speeches.

Whereas DNH offers a broader framework, NVC is a more specific tool that can contribute toward overall conflict sensitivity.



9 https://www.cdacollaborative.org/wp-content/uploads/2017/02/Do-No-Harm-DNH-Trainers-Manual-2016.pdf

The Conflict Sensitivity and Advocacy Dilemma

A common theme throughout interviews and across Cambodia (and elsewhere) is the potential tension between conflict sensitivity and advocacy, particularly adversarial or confrontational advocacy.

This tension arises when conflict sensitivity is interpreted and applied in ways that avoid confrontation and promote passivity. Consequently, strong criticisms arise from activist-oriented actors (such as outspoken human rights organisations) that criticise conflict sensitivity as undermining and being antithetical to advocacy efforts. Although not specific to conflict sensitivity, Hughes has argued that international organisations have avoided confrontation with the extractive Cambodia state through reformist approaches.

The result was the undermining of social movements and the potential for more systemic change.¹⁰ Such criticism carries significant relevance when considering that Boueng Kak, PLCN and Areng Valley have been some of the most effective instances of activism in Cambodia, all of which involved significant confrontation with the state and what is often termed 'hard' advocacy. Each case was also met with physical and structural violence, while the severe tightening of civic space in recent years has rendered such activism largely impossible.

The tension primarily centres around how to apply conflict sensitivity without undermining or restricting broader advocacy efforts.

It is important to note that conflict sensitivity is not designed to avoid confrontation, conflict, nor risk. Rather, it is intended to ensure that actors make informed, conscious choices about how they might engage in confrontation and/or conflict, with the aim of minimising the negative and maximising the positive.

Avoiding violent conflict is highly valued, but is one part of the broader analysis and conscious decision making. Conflict sensitivity is also cognisant of risks, where doing nothing can be just as risky as taking action.

¹⁰ Hughes, Caroline, 2007. "Transnational Networks, International Organizations and Political Participation in Cambodia: Human Rights, Labour Rights and Common Rights," Democratization

For example, if a choice is made by a community to confront an actor that is illegally logging their community forest, a conflict sensitive approach seeks to first analyse and understand the context.

Steps will be taken to minimise the possibility of escalating the conflict, alongside identifying methods likely to advance mutual understanding and resolution of the conflict. However, conflict sensitivity can still attract significant criticism because its application often leads towards avoidance of confrontation and conflict, which can subsequently undermine broader advocacy objectives. Risk-avoidance can also be a major by-product of conflict sensitivity and DNH.

C This is our challenge, particularly for human rights organisations.

They say that conflict sensitivity is passive, whereas human rights organisations always want to confront the issue.

For us, conflict sensitivity is about options – we can't just have one approach.

Conflict Sensitivity Advisor, interviewed for this paper.

Another critique of conflict sensitivity is that it can draw focus away from the importance of community mobilisation for advocacy and asserting rights. Joshi argues that under the guise of pursuing pragmatic options in a highly constrained environment, NGOs can have a debilitating effect on community mobilisation and advocacy initiatives.¹¹ This criticism can be applied to conflict sensitivity, but it should not be a case of mobilisation or conflict sensitivity. It should be the latter providing techniques for enhancing the former.

Community mobilisation and conflict sensitivity should go hand-in-hand. Unfortunately, this is often not the case, which gives rise to the criticism of conflict sensitivity as promoting passivism and avoidance of confrontation. It can also be countered that such criticisms are due to misunderstandings of conflict sensitivity and critics being committed to specific adversarial ideologies and approaches.

This section and the overall case study is not designed to justify or criticise conflict sensitivity in one direction or another. These tensions are briefly examined here because they are prominent in Cambodia and elsewhere.

They also illustrate broader dynamics relating to divergence between theory and practice. Conflict sensitivity theory addresses some of the criticisms mentioned above, but it is often the application, practice, that is a magnet for criticism.

The following section will further explore some of these tensions, as it examines Cord's conflict sensitivity efforts in Cambodia.



11 Joshi, S, 2020. "Contesting land grabs, negotiating statehood: the politics of international accountability mechanisms and land disputes in rural Cambodia", Third World Quarterly.

The Application: Conflict Sensitivity in Practice

This section analyses Cord's conflict sensitivity activities in practice. It is based on an extensive literature review of both internal and external resources, alongside 16 interviews. The interviews were conducted with Cord's conflict sensitivity facilitators, partner NGOs and community-based environmental defenders or activists, in Phnom Penh, Kratie, Ratanikiri and Mondulkiri.

Recognising this paper is not intended as an evaluation, but rather a case study to stimulate discussion, the overall research process and interviews explore many of the themes outlined in the previous sections.

For example, through discussing how people understand and apply conflict sensitivity, how they navigate different priorities and how they balance conflict sensitivity with broader advocacy objectives.

Further details on the research methodology are available in Annex One.



An Overview of Cord's Conflict Sensitivity Activities

Cord's conflict sensitivity activities form part of a broader suite of activities within the SPIRIT Programme, as outlined earlier. Conflict sensitivity refers to the overall approach, while DNH and NVC are tools within the broader approach.

These skills are developed through a mixture of workshops, site visits and ongoing coaching, delivered by Cord facilitators, both of whom are Cambodian.

Communities of practice are also operational to encourage sharing and learning between different NGO partners and communities. All initiatives are delivered in Khmer through participatory methodologies that draw on international best practices, but are adapted to the Cambodian context, such as using locally relevant examples.

Activities focus on explaining both the theory and practice of conflict sensitivity, DNH and NVC, such as how to analyse a situation, designing courses of action, how to respond to aggression, engaging in constructive dialogue and many other topics. Complementary activities focusing on digital security are also provided.

The conflict sensitivity activities target two primary groups, namely partner NGOs working on natural resource issues and environmental defenders/ activists operating at the community level.

For the NGOs, the support is designed to be replicated at the community level and with other civil society actors, through a training of trainer approach. The support is also intended to not just enhance attendees' capacities, but to also institutionalise conflict sensitivity within organisations, such as in strategies and programmatic design.

At the community level, support is designed for environmental defenders/ activists to then provide conflict sensitive leadership and guidance within their community. It must be emphasised that Cord's work on conflict sensitivity is only one part of a broader programmatic footprint and suite of activities, as outlined earlier.

Conflict sensitivity is not and should not be considered as a standalone activity, but rather a part of broader efforts to increase equitable natural resource management in Cambodia.

Finding One: Positive Perceptions, Mixed Retention

All interviewees responded positively about their engagement with Cord's conflict sensitivity activities.

They felt the support was appropriate and practical to the issues they are facing as NGOs or communities.

At the community level, most interviewees were able to give tangible examples of how they applied conflict sensitivity in practice, including many instances of positive results, including improved safety for community members.

However, when asked about what they remembered from the training or what conflict sensitivity/DNH means to them, results were more mixed.

Some interviewees could recall significant details, while many interviewees said they had forgotten.



I have learnt a lot.

Don't judge immediately. Do no harm and practice non-violence...

We start by analysing the problem (land disputes) ...

Then we understand and solve the conflict.

Community Forest Patroller, Kratie, Female



"

I learnt how to analyse conflicts. We try to find the root cause of the problems. For example, why logging? ...

Since I learnt about Do No Harm, I learnt how to identify the hot problems. I try to make the hot problems into cold problems.

We don't face them with anger.

Community Forest Leader, Mondulkiri, Male When asked about application, there was strong evidence of understanding and applying conflict sensitivity when addressing issues for their community. This was usually framed at two levels: community and household.

Applying conflict sensitivity at the community level meant addressing issues such as illegal logging and land encroachment.

At the household level, interviewees talked about improved family harmony. For example:

I started sharing with my wife about the training. I told her that we need to learn how to be patient and forgive one another to avoid bigger conflict. Argument is useless. It only costs us. That's in the family level.

In the community level, it's also good. Before the training, our patrol team didn't know how to speak properly.

We didn't have any strategies and tactics. At that time, when we saw loggers, we just arrested or intimidated them. After the training, we know how to speak. We educated them.

Interviewee 8: Community Leader, Kratie, Male At the NGO level, responses were positive, but the retention of conflict sensitivity knowledge was mixed, while application appeared limited (although some of this is due to the COVID-19 pandemic and a lack of time for application).

Some NGOs could effectively recall and articulate conflict sensitivity, while others largely referred to DNH without deeper explanation.

Institutionalisation of conflict sensitivity also appeared limited.

I think conflict sensitivity is important. We use do no harm and conflict sensitivity. It's not easy to integrate conflict sensitivity.

NGO Partner, Male

After do no harm and conflict sensitivity training, we wrote a five-year strategy and integrated both. For all the projects, we integrate. Everyone knows more about the concepts and can apply...

We put it in strategic plans and action plans.

Community fishery groups integrate it into their management plans.

NGO Partner, Male

Finding Two: Peaceful and Equitable Resolution of Conflicts

There is clear evidence that Cord's conflict sensitivity initiatives have positively contributed to the resolution of multiple conflicts in each surveyed province (Kratie, Ratanikiri and Mondulkiri).

In each province, respondents outlined specific conflicts they faced, generally centred around natural resource use. Examples included encroachment of community land by companies or other communities, illegal logging of protected areas or community forests, illegal fishing and illegal hunting of wild animals.

Other conflict dynamics included disputes amongst households and with local authorities and/or companies. The impact of these conflicts was not just loss of access to resources and community involvement in natural resource management decision making, but also persistent and growing distrust and hostility between communities, authorities and companies. For example, ELCs are typically granted without community consultation, participation in decision making, nor compensation for any losses.

This often contributes towards cycles of conflict and even violence, as frustrations and tensions build between all parties.





In most cases, interviewees attributed conflict resolution to their ability to constructively engage in dialogue, control their emotions and focus on peaceful solutions.

Interviewees explained their analysis, particularly understanding drivers of conflict and the identification of dividers and connectors, clearly illustrating their application of conflict sensitivity and DNH ideas. Most communities sought to educate the perpetrators and directly resolve the dispute by explaining the community position, such as the importance and regulation of protected areas or community forests.

When direct negotiation failed, communities would seek out support from local (Commune) authorities. This was also a positive because previously communities tended to avoid local authorities because they were often perceived as part of the problem.

If local authorities were unresponsive or unhelpful, communities would then seek out higher level authorities at District or even Provincial levels.

Although authorities may either be complicit in the dispute or unable to resolve it, community engagement plays an important role in creating demand for good governance and responsive authorities.

Case Study One: Land Encroachment in Ratanikiri

The following quotes are from an interview relating to a company taking community land and clearing it without permission or compensation. Local authorities were unable or unwilling to resolve the issue, leaving the community frustrated and unclear on how to obtain justice.

Our community had problems with a company. At that time, we tried to be patient. We tried not to have conflict with them. We wanted to negotiate with them. We filed complaints to the commune, district, and provincial level authorities, but they ignored us.

Then we tried to go to NGOs who can help us... They helped facilitate the conflict resolution outside the judiciary and at the negotiation table.

The benefit is that the company agreed to give the land back to the community.

Regarding the authorities, before we were prejudiced against them when we don't get what we want from them. But after the training, we learnt to think differently. For example, when we tried to contact them and they were not able to meet us, we tried to think that maybe they were busy. We could try to contact them next time. But normally, when we speak politely to them, they would collaborate with us.

When we have conflict with the company, we know that they have power. We're concerned about our own safety.

For me, I discussed with my people that if we didn't solve this problem, it would still affect our community, but if we respond strongly to them, it will only increase conflict.

If we cannot manage the conflict properly, the other party might get angrier and we might have more trouble.

Forest Patroller, Ratanikiri, Male

Following investigations from local authorities, one of Cord's partner NGOs, Development and Partnership in Action (DPA), facilitated a dialogue process with the company. The result was that cleared lands were returned to the community and the company agreed to respect the community's land.

The community's relationships with authorities also substantially improved.

Case Study Two: Multiple Land Disputes in Kratie

This case study involved a company illegally clearing land within the Community Protected Area and removing border posts that demarcated the area. The following quotes detail the issue and the resolution:

11 It's not only difficult for me. but it's also difficult for our people. We need to spend time every day on the land dispute. The company finally came to meet us because I tried very hard to solve the issue. I told them if you don't rebuild the border posts, I will file a complaint.

I met the (local government) department director to help me and told them that if they didn't solve our problem. I will file the complaint to an upper level. Then they worked with the company and agreed to rebuild the posts for us.

If I did not persevere, they would not do it.

The company asked me to compensate in money, but I rejected. I told them to build the border posts back like before. If we accepted compensation in money, they would not rebuild the border posts (and the community would lose the land).



I learnt about observing, patience, facilitation, participation, non-violence... I applied the (conflict sensitivity) lessons to solve the land dispute without violence.

If I have not learnt these lessons, my people would do protests, burn things down, and that will cause more conflict. I shared those lessons to my people. Before we do something, we have meetings together to find non-conflict ways.

That's why when I went to meet the commune leader, provincial department director, and company director, to figure out non-conflict ways.

If we have conflict, it's hard for us to live with one another since we are neighbours (with the company). I said to them politely that our protected areas were created before your land title. We don't claim and clear your land. I took the documents to show them (the protected area status)...

The company invited me to meet them at their office. I told them that I couldn't go. If they want to meet, we need to meet at the site of conflict.

If we meet them at their office, they cannot see the problems... They need to meet us there because we have our people with us to protect us in case there are any problems.

Community Leader, Kratie, Female

Beyond the above dispute with the company, the community also resolved a dispute with local authorities, as explained below. Aside from the effective application of conflict sensitivity principles, both disputes highlight the interviewee's effective leadership.

As a woman, this leadership was particularly important for challenging entrenched gender norms and providing a role model for others in the community.

Gender dynamics are examined further in Finding Three.

While people were building their houses, the Department of Environment came to dismantle the people's houses.

I went to meet them and they asked me: "why are you here?"

They said the people are building houses in the conservation area. I told them that is incorrect. If it's a conservation area, why did the government build a road into this area?

If the Department of Rural Development built this road, it's for the people living here.



At that time, we had around 70 people come with me. The Department asked: "why are you here protesting?"

I told them that my people don't protest. They are here to see whether you know the law or not, and whether you will dismantle people's houses.

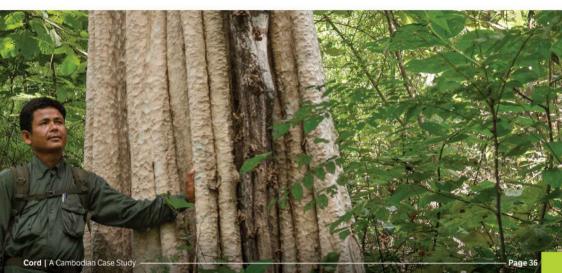
Before you started doing that, why didn't you meet the local authority in the village? They asked us to go back and we agreed.

Three days later they told us not to build houses anymore. Then I called the Director of the Environment Department and spoke politely with him.

I told him that "your Officers didn't allow our people to build houses. Why? Do you want to see photos of our people sleeping on the ground with tents being posted? If you want to see, I can send you the photos."

He said: "No need." Now the affected people can have a plot of land (50x100m) and they can build houses on those lands.

Community Leader, Kratie, Female



Finding Three: Significant Advances in Gender Equity

A common theme across interviewees was the positive impact of Cord's conflict sensitivity initiatives on improving gender equity. This falls within two primary categories. Firstly, the application of conflict sensitivity within the household contributing towards more harmonious households and reductions in domestic disputes. Secondly, conflict sensitivity promoting women's leadership and participation, as communities sought to resolve community-level disputes.

Although the latter depends significantly on individuals, such as the excellent women's leadership demonstrated in Finding Two, Cord's approach to conflict sensitivity specifically encourages women's participation and influence on dispute resolution. However, it must also be noted that these results cannot be entirely attributed to Cord, as other civil society actors also work on women's empowerment across Cambodia.

The following quotes illustrate some of these dynamics.

"

For my own family, before my husband was jealous at me when I went out to do the work like this (forest patrolling). He didn't want me to do it and he said that it's not good for women to go out of the house. I just explained to him the reasons and invited him to join meetings with me.

Now he's fine with me for doing the forest patrolling. My children also don't have any disputes (compared to before). Before my husband drank alcohol and cursed me. Now after explaining to him, he stopped drinking. He loves his wife and kids. When I am out like this meeting, he just asks; how am I doing?

Community Forest Patroller, Kratie, Female

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Before when we had arguments in the family, we just wanted to win. After learning, we learnt to walk away from the arguments.

Second,

I learnt to explain issues to my wife without an argument. Arguments are useless. It can separate the family and lose trust with one another...

I tell others that if you are a husband, you cannot make all decisions by yourself. Both husband and wife have rights to make decisions in the family, social work, and community.

Community Forest Leader, Mondulkiri, Male

"

Before our women were shy. They were not daring to speak. They didn't participate. They just push their husbands to speak for them., but now is different.

In the meetings, there are more women than men. I trained women to be brave to share ideas about their own problems in the family and in the village. We encourage them to share their ideas, so that we can hear their problems to help them solve those problems.

Now I'm training another group of young women. I meet them every month. After getting these lessons, my women are braver. They even patrol the forest.

Community Leader, Kratie, Female

Finding Four: Systemic Drivers of Conflict Persist

Despite evidence of peaceful conflict resolution with positive outcomes for affected communities, broader systemic change appears lacking.

The key drivers of conflict, such as illegal logging, unaccountable companies, ineffectual laws and unresponsive local authorities, still remain. Although the conflict sensitivity initiatives have tangibly improved relationships between affected communities and the perpetrators of land grabs, the potential for future conflict remains high.

Community members consistently reported insecurity of land tenure and concern over the future, as threats persisted. Such drivers of conflict require a far more systemic approach, not just through improved laws and regulations, but also enforcement, all of which is lacking in Cambodia.

Systemic reforms are urgently needed, yet despite persistent civil society efforts, progress remains slow and ineffective.

Two clear examples of these dynamics emerged from interviews.

The first is the Fishery Law, which is perpetually being reviewed and without it in place, illegal fishing often occurs unimpeded. The second and more nuanced example is when one of Cord's partner NGOs supported a community with alternative dispute resolution.

The process successfully resolved a land dispute, but the process circumvented the judicial system. That was an intentional course of action in recognition of the ineffectual courts. However, this ends up reinforcing a reliance on NGOs to resolve community issues and also sidesteps the need to deal with a dysfunctional judicial system.

Thus, systemic drivers of conflict remain largely unaffected.

In these ways, the conflict sensitivity initiatives can be perceived as a narrow solution to much broader issues, but the reality is more nuanced. Cord's conflict sensitivity work is one aspect of a broader suite of programming that includes policy engagement.

It also forms one part of civil society's efforts to address inequitable natural resource management, where certain actors take far more adversarial positions.

It is also not a case of one or the other, but rather that conflict sensitivity is specifically designed as an approach that informs other interventions.

However, one can still question that considering the highly restricted civic space in Cambodia, is a focus on conflict sensitivity a pragmatic response or is it reinforcing the government's efforts to de-politicise and de-radicalise civil society?

Such questions must be understood within a historical setting, where confrontation with the state has yielded significant results, such as the moratorium on ELCs.



Finding Five: Tension Between Conflict Sensitivity and Advocacy

Interviews with Cord facilitators and NGO partners highlighted significant tension or at least perceived tension between conflict sensitivity and advocacy. Multiple interviewees reported conflict sensitivity being criticised as too 'soft' an approach, when stronger advocacy was perceived as required for systemic change.

Some interviewees also indicated they had shifted from 'hard' (adversarial) to 'soft' (reformist) advocacy, but this appeared closely connected with contextual factors, such as the severe closing of civic space in Cambodia over the past decade.

The following quotes reflect these themes.

"

It's like working on gender for 20 years, it's not easy. We support them (NGOs and activists) to implement, but it's not easy to apply... For example, some NGOs try to integrate, but look at their strategy, it's only training – their advocacy is still hard, not soft.

(One partner NGO) pursues hard advocacy and confrontation. They say if we work with government, it undermines work with community. We say that if the community says we should also work with authorities, we are not following the government, but engaging them.

Cord Conflict Sensitivity Facilitator, Female

"

In the past, we focused on strong advocacy – advocacy by the heart.

From 2010/11, we changed

strategy, activities and goals to move advocacy away from the heart to move to dialogue with stakeholders...

We moved away from hard advocacy because we cannot work with the government staff.

There was lots of politics, and it was difficult to operate doing hot advocacy.

NGO Partner, Male

If we do advocacy or demonstrate against authorities, we will get a bad response for the community. We NGOs don't stay in the community, but our focal people are there, they can face harm...

Other NGOs say we are too soft, but for the Cambodian context, sometimes it works.

We never get better results from the court, so we need to pursue other avenues.

The judicial system is very bad. NGOs prefer using do no harm and alternative dispute resolution.

NGO Partner, Male

The reality is more nuanced than a binary choice between hard and soft advocacy, but as the above quotes illustrate, there is significant tension about approaches. What is often lost is that conflict sensitivity is not intended to eliminate hard advocacy, although in practice, it is often interpreted in that way.

Finding Six: Culture of Aid Dependency and Legitimate Needs

This finding is not specifically about Cord's conflict sensitivity initiatives, but instead broader contextual factors. Most prominent was the culture of aid dependency, at both the partner NGO and community level.

Every interviewee requested further support, not just in terms of conflict sensitivity, but also in relation to financial and material aid. For NGOs, it was requests for funding, while communities generally requested support for livelihood activities.

Neither request is inherently problematic, but they reinforce the perception of high levels of aid dependency in Cambodia, along with the entrenchment of NGOs as service providers. In a context where the government continues to eschew many responsibilities, this dynamic is problematic.

The intersections of aid dependency and sustainable change are particularly acute at the community level. For communities managing protected areas and community forests, interviewees explained the challenges between balancing the costs and time for maintaining forest patrols with the need to focus on their livelihoods. This poses a significant dilemma. Communities have limited resources and material support does enable expanded activities to protect natural resources.

However, this also entrenches aid dependence, albeit deeper analysis is beyond the scope of Cord's conflict sensitivity work.



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The other challenge is our time. We cannot do forest patrols every day. If we do that, we would have financial problems in the family...

We need financial support to travel, buy office supplies, food for the committee, because some of them are poor.

They can see logging activities but when they lack financial support, they don't feel motivated.

Community Leader, Ratanikiri, Male

Conclusion and Discussion Questions

This paper was framed to highlight the significant (perceived and real) tensions between conflict sensitivity and advocacy related to natural resource issues.

It is evident that Cord's work has achieved significant positive impacts for communities and NGO partners. However, exploring the tensions between conflict sensitivity and advocacy are important for communities of practice.

Strategies, values, risk appetite and other aspects will naturally vary between actors. A diversity of approaches, rather than homogenisation, is preferable.



The following discussion questions seek to stimulate discussion around these dynamics.



How can actors working on conflict sensitivity reduce it being perceived or interpreted as conflict avoidant?



How might confrontational advocacy approaches integrate rather than dismiss various elements of conflict sensitivity?



How can conflict sensitivity better engage with systemic drivers of conflict over natural resources, such as unaccountable companies and unresponsive authorities?



What approaches might work towards bridging divisions between actors utilising perceived 'hard' and 'soft' advocacy that can strengthen collective action?



Moving beyond civil society actors and communities, how might government authorities and companies be engaged to understand and apply conflict sensitivity?



Annex One: Research Methodology

This paper adopted a qualitative, semi-structured research methodology. A desk review was conducted of internal and external documents related to Cord's work, conflict sensitivity and the Cambodian context.

This informed the subsequent key informant interviews. Sixteen interviews were conducted, including seven women and 12 men, across Phnom Penh, Kratie, Ratanikiri and Mondulkiri. Most interviews were in-person, while some were conducted remotely.

All community level interviews were conducted in Khmer, while NGO interviews were a mix of Khmer and English. A qualitative approach was deemed the most appropriate for seeking to understand the applications and nuances of conflict sensitivity, rather than focusing on quantitative outcomes.

Interviewees were selected to achieve a gender, geographic and thematic (type of dispute) balance.

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Overview of the SPIRIT Project

The Strengthening and Protecting Indigenous Rights to Traditional Land (SPIRIT) overall objective is to safeguard and strengthen Indigenous human rights defenders (HRDs) and improve the enabling environment for them to protect and defend land in Cambodia, Laos and Vietnam.

Cord implements SPIRIT in partnership with Development and Partnership in Action (DPA Cambodia), one of the region's leading experts on private sector engagement and Corporate Social Responsibility, and the Centre for Sustainable Development in Mountainous Areas (CSDM), a leading institution in promoting rights-based sustainable development and Indigenous leadership in Vietnam.

SPIRIT's specific objectives are to:



Protect and strengthen the resilience of indigenous HRDs in the context of closing spaces

Strengthen the long-term capacity and resources for indigenous HRDs to protect and defend land

Strengthen collaboration and joint action between indigenous HRDs, the state and private sector in the context of land rights at the local, national and international level





- **Outcome 1:** Enable indigenous HRDs to utilise digital technology in a safe, more effective way to support their work in closed contexts.
- **Outcome 2:** Enable indigenous HRDs to be resilient to short-term financial pressures and effectively plan for longer-term sustainability to support their work beyond SPIRIT's lifetime.
- **Outcome 3:** Enable indigenous communities to successfully defend and secure land rights through effective application of legal and formal mechanisms.
- **Outcome 4:** Ensure that indigenous HRDs (including women HRDs) are included in policy and legislative decision-making (in line with Free Prior and Informed Consent principles) and engage directly with national and multinational private sector actors on land rights issues.

Cord's Approach

Cord, DPA and CSDM believe rights are only truly realised when rights-holders are able to claim them safely and without fear, and when duty-bearers are more willing and able to meet their obligations. Mutual mistrust, suspicion and fear of engagement between HRDs, government and private sector has led to frustration and the adoption of adversarial, and sometimes dangerous, approaches to human rights defence by activists whose responsibility it is to raise awareness of injustices and hold duty-bearers to account. At the same time, those in power have taken increasingly severe measures to silence HRDs and stifle criticism, acting without consultation or accountability towards citizens. The result is that HRDs have struggled to continue their work and keep land rights on the public agenda, citizens have become more complacent and rights abuses continue without visibility and with impunity.

SPIRIT supports HRDs to meet their duty as active, empowered community representatives who are capable of engaging in nonviolent advocacy with those in power, whilst also supporting duty-bearers to understand the benefit of meeting their obligations to citizens and why this is important – not only from a rights perspective, but for broader development and environmental goals. Through supporting stakeholders to meet in safe spaces, SPIRIT will gradually reduce fear of engagement, enabling both sides to articulate experiences and increase understanding. Ultimately, as Cord has seen, a sense of mutual dependence will emerge, and they will be able to jointly develop and deliver mutually beneficial solutions to land issues.

To date, SPIRIT has worked towards this through providing training and capacity building for HRDs in Digital Security, Non-Violent Communication and Do No Harm; establishing a Hardship and Equipment Fund to meet the immediate needs of HRDs; distributing sub-grants to Human Rights Organisations (HROs) to develop the capacity of Community Forestry Committees; coaching and resource creation to raise awareness of key land rights issues; and hosting Communities of Practice with government and private sector representatives and HRDs.



For more information about the SPIRIT project, please contact Carlos Gallardo, Regional Representative For South East Asia at cbgallardo@cord.org.uk

cord.org.uk

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