



វេទិកាសេដ្ឋកិច្ចសង្គមស្រុកកម្ពុជា ស្តីពីកម្ពុជា  
*The NGO Forum on Cambodia*

## **Joint STATEMENT Calling for Urgent Land Disputes Resolution in Cambodia**

Phnom Penh, 03<sup>rd</sup> November 2014

---

We, members of the Land and Housing Rights Network (LAHRIN)<sup>1</sup> which facilitated by the NGO Forum on Cambodia, would like to express our strong concerns about the impact of ongoing land disputes in Cambodia. Land disputes in Cambodia are widely seen as one of the biggest challenges facing the Cambodian people. In the worst cases, land disputes can lead to loss of land and access to resources, which is inconsistent with the Royal Government of Cambodia (RGC) achieving its poverty reduction goals. Furthermore, land disputes also represent a significant challenge to Cambodia's reputation in the international arena. Records in the database of the NGO Forum on Cambodia show that some land dispute cases have been on-going for a number of years, and this has compromised the living conditions and livelihoods of the affected people. These records indicate that there are many factors causing land disputes, including infrastructure development projects in urban and rural areas, economic land concessions (ELCs), and other concessions operated by national and international companies. According to civil society's "Statistical Analysis of Land Disputes in Cambodia, 2013" in total 28 new land dispute cases meeting the Resource and Information Center (RIC) criteria<sup>2</sup> were recorded as commencing in 2013. This number is however lower compared to the cases that emerged during the years 2010, 2011 and 2012 with 39, 39 and 46 new disputes respectively.

The total number of land disputes analyzed by RIC based on their methodology in 2013 is 405. Among them, 81 cases were resolved in 2013 and 13 land dispute cases were abandoned. As a result, 77%, or 311 cases out of the total 405 land disputes recorded have not been fully resolved as of 2013. With this number, the affected household was counted 65,867 and this would affect up to 309,575 people. This figure is equal to approximately 2.34% of total HHs throughout the country. In 2012, more land disputes were solved than in any other year.

By 2013, eighty Economic Land Concessions (ELCs) have caused disputes. And these disputes have affected 19,740 household or 92,778 family members.

One of the cases included in the analysis is the dispute between the MDS Import Export Co, Ltd<sup>3</sup> and 84 families who live on that land since 1998. In this dispute, villagers land was bulldozed by the company and villagers were subsequently blocked from accessing their farmland. The court summoned three villagers on charges of trespassing. Prior to the project implementation, no consultation or Environmental Impact Assessment (EIA) was carried out<sup>4</sup>. Communities urge the government and the

---

1: Comprised of more than 50 NGOs network members and partners both national and provincial level

2: Land disputes mentioned in the media, Land dispute cases involving 5 households (HHs) or more; Land dispute cases that have not yet been resolved or are only partially resolved. Land dispute cases that were solved before 2013 are excluded from this analysis. However, cases that were resolved during the course of 2013 are included.

<sup>3</sup>: Royal Government of Cambodia granted 2265 ha of land in Thmar Da commune, Veal Veng District, Pursat Province to MDS Import Export Co, Ltd in 2010 for Special Economic Zone.

4: Company and local authorities do not allow villagers to clear sparse forest where they used to plant, MDS is still bulldozing villagers plantations, Environmental officials arrested villagers of illegal trespass MDS land, Local authorities threatened villagers not to plant on the forest land, The court summoned three villagers (Mr. Teum

company to solve the dispute, providing on site development and adequate compensation as well as subsequently to issue land titles. Furthermore, villagers urge to stop all forms of intimidation, and ask the court to drop the charges against the villagers.

Another dispute affects 1963 families, who are in dispute with the Union Development Group<sup>5</sup> in Koh Kong since 2008. The project has been implemented without a conducting a sound environmental and social impact assessment prior to the operations. Public consultations on the project and a resettlement plan were also not carried out. Compensation paid was found to be inadequate. People were forcibly removed and brought to the relocation site, which has poor infrastructure and public services. Violence was used by security guards to villagers who disagreed to leave their land and homes. Recently all key stakeholders discussed to find a solution to the dispute<sup>6</sup>. The villagers who did not accept compensation urge the Government to cut off their residential and plantation land from the land occupied by the companies. They also urge to build infrastructure and strengthen existing public services in resettlement sites.

As LAHRIN, we do support the Royal Government which has paid attention to attract investment in order to develop the country. However, at the same time, we would like to express our strong regret and our objections to ill-planned and not sufficiently monitored private sector investments, such as unlawful Economic Land Concessions, which are a root cause of human rights violations, affecting people in large numbers and do not contribute to poverty reduction.

Therefore, LAHRIN would like to make the following recommendations to the Royal Government:

- Accelerate Land Dispute resolution by equipping relevant institution with necessary resources.
- Increase transparency in court proceedings related to land disputes.
- Prioritize to transparently resolve multi- party cases especially those who are long running.
- Transparent and comprehensive mapping, identification and classification of state land to minimize disputes between investments projects and local communities.
- Seize the practice of arresting community members involved in land disputes and stop using military or police forces to protect land areas occupied by concessionaires.
- All development projects need to undergo a transparent and participatory Environmental and Social Impact Assessment adhering to international standards, including public consultation prior to the approval of the project.
- Speed up in registration and recognize on indigenous people community, community forestry, community protected area, community eco-tourism and community fishery.

---

Thoeun, Ms. Kuoy Srey Mao on September 5, 2013 and Mr Be Born on June 16, 2014) of illegal trespass forest land Three cases of firing houses (Mr. Be Leng & Ou Pheng) on Feb 3, 2014, Totally ten cases of firing plantations from 2013 to 2014

<sup>5</sup> Royal Government of Cambodia granted 36,000 ha of land concession in Botumsakor and Kirsakor districts, Koh Kong province for 99 years.

<sup>6</sup> The Consultative Workshop on Seeking for Land Dispute Resolution of UDG case in Koh Kong province on 28 Oct 2014, participated by Ministry of Environment representatives, sub national authorities, communities, and NGOs.