



វេទិកាសម្រាប់ការចែករំលែកប្រតិបត្តិការ ឆ្លើយតប
THE NGO FORUM ON CAMBODIA

Fast-wood Plantations, Economic Concessions and Local Livelihoods in Cambodia

ចំការឈើដាំឆាប់ប្រមាណច្រើន សម្បទានសេដ្ឋកិច្ច និងការចិញ្ចឹមជីវិតតាមមូលដ្ឋាន នៅប្រទេសកម្ពុជា

Field Investigations in Koh Kong, Kampong Speu, Pursat, Kampong Chhnang, Mondolkiri, Prey Veng and Svay Rieng Provinces



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The NGO Forum on Cambodia has published this report in order to encourage debate and to contribute to policy discussions. The contents of this report do not necessarily reflect the positions of all its member NGOs, its sponsors and associates.

Environment Forum Core Team

The Environment Forum Core Team (EFCT) is a group of volunteer environmental activists who conduct investigations on behalf of the Environment Forum, a network of environmentally orientated NGOs established by the NGO Forum on Cambodia in 1995. EFCT was established in 2003 with members from Cambodia Development and Relief Centre for the Poor (CDRCP); Centre d'Etude et de Développement Agricole Cambodgien (CEDAC); Conservation and Development of Cambodia (CDCam); Culture and Environment Preservation Association (CEPA); Cambodia Family Development Service (CFDS); Cambodia Media Forum for Environmental Journalists (CMFE); Organization for Assistance of Children and Rural Women (CWARO); Environmental Beauty (EB); Future Light Organization of Women (FLOW); Mlup Baitong; Oxfam Great Britain; Street Children Assistance and Development Program (SCADP); Save Cambodia Wildlife (SCW); and staff of the NGO Forum on Cambodia.

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Abstract

Under the development paradigm of 'Economic Concessions' increasingly large areas of Cambodia's land have been given over to establishing fast-wood plantations in recent years. Whilst proponents have argued that plantations are necessary for Cambodia's economic development, opponents have argued that overall the rural poor do not benefit and that, in addition, there are numerous other negative social impacts and environmental consequences. Many economic concessions are at an early stage of development in Cambodia, and therefore it is important to objectively evaluate whether 'economic concessions' are an appropriate approach that can achieve equitable and just development in Cambodia.

This report presents the results of field-research conducted by the Environmental Forum Core Team between September 2004 and April 2005 in four economic concessions, namely: Green Rich Co. Ltd, Koh Kong province; Cambodia Haining Group Co., Kampong Speu province; Pheapimex Co. Ltd, Pursat and Kampong Chhnang provinces; and Wuzhishan LS Group, Mondulhiri province. A fifth field trip was conducted in Prey Veng and Svay Rieng Provinces where communities grow some fast growing trees to supplement their income and access to natural resources. Field-based research is based mainly on interviews with local community members (n=283). Desk-based research is also presented that identifies international experience of fast-wood plantations, and significant trends and recent events in Cambodia's fast-wood plantation development process. The aim of this research is to determine the likely benefits and disadvantages of economic concession development on local people's livelihoods.

It is our hope that this report will seriously contribute to policy discussions on whether economic concessions can make a significant contribution to pro-poor development. It also raises the question as to whether an alternative development approach is needed which responds much more readily to village-level needs and livelihood strategies and the relationship between villagers and their surrounding environment.

Given the government's current commitment to the establishment of economic concessions, the report makes a number of recommendations on how to ameliorate their more negative environmental and social impacts. These recommendations may be found in the Recommendations sections of the Executive Summary, in both English and Khmer.

សង្ខេប

នៅក្នុងប៉ុន្មានឆ្នាំថ្មីៗនេះគំរូអភិវឌ្ឍន៍បែប "សម្បទានសេដ្ឋកិច្ច" បានកើនយ៉ាងឆាប់រហ័សនៅលើផ្ទៃដី ដីធំធេងក្នុងព្រះរាជាណាចក្រកម្ពុជា ក្នុងគោលបំណងធ្វើចំការឈើដាំដែលមានទ្រង់ទ្រាយធំៗ ខណៈពេលដែល អ្នកគាំទ្រគំរោងចំការឈើដាំបានអះអាងថា គំរោងនេះនឹងផ្តល់ជាសារៈប្រយោជន៍យ៉ាងសំខាន់ដល់ការអភិវឌ្ឍ សេដ្ឋកិច្ចសំរាប់ប្រទេសកម្ពុជានោះ ក៏មានអ្នកប្រឆាំងអះអាងថា វានឹងមិនបានផ្តល់ផលប្រយោជន៍ដល់អ្នករស់នៅ តាមជនបទឡើយ លើសពីនេះទៅទៀតគំរោងចំការឈើដាំដែលមានទ្រង់ទ្រាយធំៗបែបនេះនឹងផ្តល់ផលប៉ះពាល់ ជាអវិជ្ជមានយ៉ាងច្រើនដល់សង្គម និងប្រព័ន្ធបរិស្ថាន ។ គំរូបែបសម្បទានសេដ្ឋកិច្ចជាច្រើនគឺក្នុងគោលបំណងជំរុញ ការអភិវឌ្ឍប្រទេសកម្ពុជា ដូចនេះវាជាការសំខាន់ណាស់ដែលត្រូវធ្វើការវាយតម្លៃ មើលថាតើ " សម្បទាន សេដ្ឋកិច្ច " វាជាមធ្យោបាយសំរាប់ការអភិវឌ្ឍដែលប្រកបដោយសមធម៌ដែររឺទេ រឺ មួយក៏វាមានឈ្មោះថា អភិវឌ្ឍន៍ប៉ុន្តែបែបជាបង្កផលប៉ះពាល់ជាអវិជ្ជមានដល់សហគមន៍ក្នុងតំបន់(មូលដ្ឋាន) ទៅវិញ ។

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Acronyms

AEIAP	Anukret on Environmental Impact Assessment Process
APP	Asia Pulp and Paper
CDRCP	Cambodia Development and Relief Centre for the Poor
CDCam	Conservation and Development of Cambodia
CEDAC	Centre d'Etude et de Développement Agricole Cambodgien
CEPA	Culture and Environment Preservation Association
CFDS	Cambodia Family Development Service
CMFE	Cambodia Media Forum for Environmental Journalists
CWARO	Organization for Assistance of Children and Rural Women
EB	Environmental Beauty
EIA	Environmental Impact Assessment
EFCT	Environment Forum Core Team
FLOW	Future Light Organization of Women
Ha	Hectare
H.E.	His Excellency
LWF	Lutheran World Federation
MAFF	Ministry of Agriculture, Forestry, and Fisheries
MoE	Ministry of Environment
NGO	Non-Governmental Organization
NTFP	Non-timber Forest Products
PLUP	Participatory Land Use Planning
RGC	Royal Government of Cambodia
SCADP	Street Children Assistance and Development Program
SCW	Save Cambodia Wildlife
SIA	Social Impact Assessment
UNESCO	United Nations Education, Scientific and Culture Organization
UNCOHCHR	UN Cambodia Office of High Commissioner for Human Rights

Throughout the report monetary values are given in US\$. It was assumed for the purpose of this report that US\$1 = Cambodian Riel 4,000. In all tables, values are expressed as a percentage of the community population interviewed unless stated otherwise.

Executive Summary

Introduction

The process of establishing fast-wood plantations in Cambodia, under the development paradigm of ‘economic concessions’, has accelerated in recent years. This issue has become increasingly important in recent years and needs urgently to be addressed. Economic concessions require large areas of land and affect significant numbers of mainly rural populations who are, on the whole, among the poorest and most vulnerable. Proponents of the economic concession model offer that plantations are necessary for Cambodia’s economic development; others argue that there are numerous negative consequences and that, overall, the rural poor do not benefit and, on the contrary, are adversely affected. The development of plantations in Cambodia is still at an early stage, with many concessions existing at present only as areas designated on a map. Some concessions, however, are already undergoing the process of establishment, involving clearing land and forests, resettling communities, and planting trees. Therefore, before widespread implementation has occurred, the time is opportune to examine the potential benefits and drawbacks of the economic concession model. In this way it may be possible to evaluate whether or not the model is desirable as a component of Cambodia’s development process.

Plantations come in numerous forms; in this report, they are defined as monocultures of an economically valuable species grown over a large area. Typical species include the fast-growing trees acacia, eucalyptus and pine, known as fast-wood plantations. Globally, it has been argued that fast-wood plantations are beneficial as reforestation programs; prevent soil erosion and flooding; reduce pressures on natural forests; alleviate poverty; combat climate change; and offer employment in remote regions where previously none existed – although these arguments are often disputed. Opponents of plantations say that numerous negative environmental and social impacts are fundamentally interlinked here. Environmental impacts include: destruction of forests with an accompanying decrease in biodiversity with impacts on ecosystem stability and functions; damage to water resources and drainage basins; alterations to local climates and water balances; soil degradation; pest infestations; and agrochemical pollution. Social impacts include: loss of land, assets and access to natural resources; a lack of employment to replace previous livelihood activities related to the land and use of natural resources; fears over security and intrusion; and infringements on human rights. Those in favor of plantations argue that negative impacts are minimal when plantations are well managed. Critics say that the intrinsic nature of the industry is environmentally and socially damaging. Worldwide, the development of fast-wood plantations has been controversial, and is the source of serious social conflicts in several countries.

Cambodia’s experience with plantations began in French colonial times with the development of several large rubber plantations in Kampong Cham and Kratie provinces. These continue to operate to this day. Development of plantations, however, accelerated following Cambodia’s transition to a market-orientated economy in the early 1990s. Proposed and established plantations during this period included acacia and eucalyptus (i.e. fast-woods), palm oil, cassava, sugar cane, corn, rubber, teak tree, and cashews. The United Nations Cambodia Office of the High Commissioner for Human Rights (UNCOHCHR) reported that in February 2003 there had been 40 economic

concessions approved to-date, totaling 809,296 Ha, although not all of these went on to be established on the ground (UNCOHCHR, 2004). It seems likely, however, that this list of economic concessions is not exhaustive.

Cambodia has several laws relevant to economic concession developments, including the Land Law (2001), the Forestry Law (2002), and the Law on Environmental Protection and Natural Resource Management (1996). Several related sub-decrees, including the sub-decree on economic concessions, remain to be passed at the time of writing. There are cases of current laws being violated; for example, the Land Law (2001) stipulates that in all but exceptional instances economic concessions should not exceed 10,000 Ha in size, although in reality many exceed this limit.¹

Economic concessions have been touted in Cambodia as necessary for generating much-needed income for the state (via land rentals, charges and taxes); for stimulating private enterprise; and also for creating jobs for rural communities, thus contributing to poverty alleviation objectives. Some observers have written, however, that thus far there has been little evidence of these proposed benefits. There have been other motives for economic concessions suggested, in addition to the agricultural. These include: circumvention of the more rigorous Forestry Law (2002) in order to conduct logging activities in areas of good forest; and enabling concessionaires to benefit from land speculation (UNCOHCHR, 2004). It is extremely difficult to access even the most basic of information on economic concessions, which necessarily limits the ability of civil society to monitor and participate in decisions that affect large portions of Cambodian society.

Overview of the research

Numerous analyses of the phenomenon of plantation development from an international, regional, and Cambodian perspective have been written in recent years. This report presents the findings of field-based research conducted by the Environment Forum Core Team (EFCT) between September 2004 and March 2005 into four economic concessions in Cambodia that are presently under development, together with a fifth rural region where fast-growing trees are grown by communities (Table A).

Table A: Key details of economic concessions visited

Concession location (province)	Concessionaire/shareholder/ approval date *	Area of concession (Ha)/ purpose
Koh Kong province	The Green Rich Co. Ltd/ 100% Taiwan/25.11.98	18,300/acacia and palm oil
Kampong Speu province	Cambodia Haining Group Co./ 100% China/23.7.98	21,250/cassava, palm oil and animal raising
Pursat province and Kampong Chhnang province	Pheapimex Co. Ltd /n.a./8.1.00	Pursat 138,963, Kampong Chhnang 176,065/Eucalyptus
Mondolkiri province	Wuzhishan LS Group	199,999 (approved 10,000)/ Pine tree
Prey Veng province and Svay Rieng province	Communities	Villagers grow acacia, eucalyptus and melaleuca between their rice fields

¹ The 2001 Land Law requires that 'Land concession areas shall not be more than 10,000 hectares' and that concessions existing at the time of the law's promulgation 'which exceed that limit shall be reduced'. However, 'if such reduction would result in compromising the exploitation in progress [at the time of the Law's promulgation], a concessionaire may obtain a specific exemption.'

The overall aim of the research, based on both desk-based and field-based research, is to determine the likely benefits and disadvantages of economic concession development on local people's livelihoods. The actual and potential future socio-economic and environmental impacts on affected communities are examined, together with other issues such as employment gained by the local populations, loss of access to natural resources, and the nature of relationships between stakeholders including local authorities, plantation companies, and communities.

Field-based research was based on semi-structured interviews with key informants and in-depth household questionnaires (n=283), and was conducted between September 2004 and March 2005. Limitations of the fieldwork relate mainly to the small sample size relative to the extensive areas covered by the economic concessions. Villages that were already affected by the plantation development were selected for survey under the assumption that other villages would respond similarly in the future.

Key findings from each case study

Green Rich Co. Ltd, Koh Kong province

Green Rich was granted a 60,200 Ha concession to grow palm oil and acacia in the southwest province of Koh Kong in November 1998. The concession, reduced to 18,300 Ha in June 2003, is almost wholly located inside Botum Sakor National Park, and is generally categorized as covered in disturbed and mosaic evergreen forest, together with areas of mangrove forest along the coast. Since the area is protected, the population within the concession is sparse, although there are several large communities living along the coast, together with some communities living along the Khlang River that forms the inland border of the concession to the east. The Ministry of Environment (MoE) manages Botum Sakor National Park in cooperation with the international NGO WildAid. Opponents to the concession point out that it is illegally located inside the National Park and exceeds the 10,000 Ha area threshold of the Land Law. The RGC has argued that the concession is in a buffer zone that has degraded forest cover, unused fields and poor soil (Reynolds, 25.4.04).

Green Rich began its activities in April 2004 by clearing mangrove forest on the Khlang River, despite not having completed an environmental impact assessment (EIA) or a management plan. In May 2004, MoE ordered the suspension of Green Rich's operation until all necessary legal steps were completed. Despite this order, Green Rich continued its logging operations. Furthermore, the company was accused of human rights abuses on its concession when laborers were found to be held under conditions of indentured labor that necessitated their rescue by police and NGOs. Green Rich submitted an EIA in August 2004 and continued its operations, despite the EIA not having been officially approved. This led to the MoE launching a court action against the company in January 2005, including a claim for damages of US\$1 million. The result of this action is pending.

Field research was conducted in Koh Kong Knong (KKK) village, a small community along the Khlang River opposite the company headquarters, and in Chrouy Pras (CP) and Thmey (TY) villages, two larger co-joined communities located on the coastal side of the concession. The primary livelihood activity in KKK is fishing, together with some subsistence-level agriculture (rice production) and non-timber forest product (NTFP) collection activities. In CP and TY, the primary livelihood activities were fishing and agriculture, with only a limited dependence on NTFP. Fish stocks have decreased in

recent years, affecting livelihoods, although this was blamed on illegal fishing activities and not the activities of the company. Three interviewees identified, however, that activities on the plantation had polluted water courses, affecting fish stocks, through the release of poisonous oils which occurs when bark is peeled from melaleuca trees.

To-date, the arrival of the company has not had an extensive effect on communities living nearby. In KKK, the company has not affected NTFP collection. In CP and TY, however, there had been a decrease in the number of those collecting NTFP from 36% to 14% since the concession was established. 31% of those who had stopped directly blamed the company for preventing access. Availability of timber had also decreased, although this was blamed primarily on the conservation activities of MoE and WildAid. A perceived decrease in wildlife was also blamed on the company's activities, owing in particular to the clearance of forest and to noise from the machinery.

Local communities were not consulted when the concession was planned; in CP and TY, awareness was generally low regarding the concession, despite the fact that the concession extends right up to the boundary of the village. Although a significant number (38%) from KKK had gained several months of employment on the plantation, in CP and TY only 7% had gained employment, and this had been of a less regular nature. A limited amount of rice paddy had been claimed by the company, half of which was compensated with new land.

In KKK, 63% of villagers were happy that the company had arrived, mainly because it provided employment. Conversely, in the significantly larger settlements of CP and TY, 68% were not happy with the company's arrival. This owed mainly to the destruction of the forest and the impacts of this on their family's future livelihoods. At present, the concession is inactive. However, if the RGC grants permission once again for Green Rich's operation to proceed, large areas of the ecologically valuable Botum Sakor national park will be destroyed, despite the fact that it should be protected both for its conservation and watershed value. The loss of access to NTFPs, although not a central income-generating activity, would still affect families' day-to-day living. The population living nearby the concession is relatively small, and in the larger settlement visited (CP and TY villages) dependence on forest resources was secondary to the primary livelihoods strategy of fishing and agriculture. However, were the plantation to be continued, it is highly probable that livelihoods would be negatively affected. This would arise from loss of mangrove forests, which are important fish breeding areas, as well as from pollution of water courses and impacts on water availability from the planting of acacia.

Cambodia Haining Group Co., Kampong Speu province

Kampong Speu province is located in southwest Cambodia. In July 1998, Haining was granted a 21,250 Ha concession in Oral district and Phnum Sruoch district for cassava, acacia and palm oil production, together with animal-raising activities. The area is characterized mainly by deciduous forest cover, together with areas of wet-season rice paddy field. The designated concession boundary borders the Oral Wildlife Sanctuary in the northwestern corner. Since 1997, the international NGO Lutheran World Federation (LWF) has worked in the area.

Haining began clearing the forest in its concession in 2002. However, protests raised by local villagers threatened with loss of land and livelihood, followed by criticism from the international NGO Global Witness, forced the company to cease its activities. At the

time, LWF reported the planting of 5-6 Ha of castor oil, the construction of an office and importation of heavy equipment, installation of a saw mill, and the construction of a private road. The company had attempted to ban villagers from using agricultural land and forest resources within the concession. At present, however, no villagers have lost their land and, with the exception of a cassava plot, the operation is inactive.

Four villages were visited during the field research all of which are located within the concession area designated. 88% of interviewees grew rice as their primary activity. 54% were also involved in preparing charcoal to generate additional income that yielded on average between US\$15/month and US\$25/month. With this year's drought and poor rice crop, villagers explained that many in the community were collecting common wood to prepare charcoal as a means to supplement the lower income generated from their rice harvests, thus demonstrating the value of NTFPs as a safety net in livelihood security. In addition to charcoal production, collection of other NTFPs was also important for many families both as a source of income as well as for family use. Collection of these NTFPs has been adversely affected by the arrival of the company due to limitations placed on accessing the forested areas where NTFPs had previously been collected. Access to timber had also been limited due to the company's presence, although even before the company's arrival the local authorities tried to enforce laws protecting the forest.

If Haining's concession were to once again go ahead, LWF estimates that 26 villages located in 4 communes would be affected, with an estimated population of 8,529 (1,727 families). Furthermore, 2,551 Ha of arable land would be lost, as well as extensive areas of forest upon which the communities presently depend. There has been no consultation by the company with the local communities regarding whether the establishment of the concession. During the brief period that Haining was active, only four households interviewed (5%) reported that family members had gained employment on the plantation. It seems that before starting their activities, Haining had promised work for the local people; the company then went on to bring in outsiders to work for them instead. At present, the company is growing cassava on around 6 Ha of land. This is a poisonous crop until processed. One villager reported that, in 2001, six cows from Opdouv village had died because they ate cassava planted by the company.

70% of households interviewed said that they were unhappy with Haining's arrival because they lost their rice fields; the company destroyed the forest; wildlife disappeared; and, in some cases, the company guards intimidated them. Were the concession to be established fully, loss of rice-growing land, and access to NTFPs, in particular to common wood to make charcoal, will significantly impact the communities' livelihoods. Owing to the continued presence of the company, there is considerable insecurity of land tenure, as well as an overall climate of intimidation. While villagers' current livelihood activities are poorly managed and degrade the environment, especially those related to charcoal production, in some of the villages visited there was an expressed desire to address this by establishing community forestry projects. This is not permitted at present owing to Haining's ongoing claim to the area. As a result, the existence of the concession also undermines the development work of the international NGO Lutheran World Federation.

Pheapimex Co. Ltd, Pursat and Kampong Chhnang provinces

Pheapimex's concession of 315,028 Ha in Pursat and Kampong Chhnang provinces, which is vast even by global standards, was granted in 2000 without consultation with local communities and without completion of an EIA or social impact assessment (SIA).

There is an estimated population of well over 100,000 in the concession area. Overall, a mixture of deciduous forest, pine forest, wood and shrub land, and agricultural land characterizes the area of the Pheapimex concession. The concession is located adjacent to two protected areas: the Tonle Sap Lake to the north, and the Orul Wildlife Sanctuary to the west. Early reports state that a pulp and paper mill will be constructed. These are strongly associated with the pollution of water resources by chemicals and wood particles: it is therefore a matter of concern considering the vicinity of the concession to Tonle Sap Lake.

Initial attempts by Pheapimex to develop its concession in 2000 were halted by local opposition, supported later by donor organizations and NGOs. In November 2004, Pheapimex reinitiated its activities, resulting in renewed protests by villagers. This tragically cumulated in a grenade attack on sleeping protestors on 13 November 2004, injuring eight people in total, three seriously. The crime's perpetrators were never arrested. Following the attack, on 17 November, senior government officials ordered that the company stop its activities until a survey studying the impact on villagers and their farming could be conducted. Despite this order, the company continued to clear forest. Ongoing resistance by local communities finally led to Pheapimex once again suspending its activities in January 2005, although high-level government support for the concession means that it is likely that operations will recommence in the future.

Communities visited during the field study in the concession area derive their livelihood primarily from wet-season rice (87%), with secondary sources of income and subsistence mainly from the collection of NTFP and fishing activities. 60% of those interviewed thought that the plantation had or would affect their agricultural activities, mainly because of loss of land (57%) if their rice fields were not excluded from the concession boundaries. Since the company's arrival, there has been a decrease in villagers collecting NTFP, for two reasons: company guards limit access to forested areas with NTFP; and there has been an overall decline in the abundance of NTFP in the area. Villagers are able to make a notable income dependent on the seasonal availability of the NTFP. For similar reasons, villagers also pointed out an overall decrease in the availability of timber.

There has also been a reported decrease in fish stocks, with a concomitant decrease in the number of fishers. This was primarily attributed to illegal fishing activities, although 14% of villagers interviewed said that they could not catch fish any more because the company had filled in the streams where the fish lived. This destruction of water resources has also affected water availability for watering cows and buffalos. Three interviewees in Ansar Chambak commune and three interviewees in Anhchanh Rung commune said that the company's activities had changed the water color from blue to black.

Resettlement and loss of assets (mainly rice fields) was a major concern for many villagers interviewed. The final extent of resettlement and assets lost by villagers will depend on the final boundary designation of the concession. The government has agreed to set some land aside within the concession area for villagers, although the precise extent is unknown.

Only one household of the 77 interviewed said one of their members had been employed on the plantation. Most workers on the concession are bought in from outside. Working conditions are reported to be tough, with demanding work hours, high food prices, and frequent incidence of malaria.

Overall, 88% of interviewees said they were not happy that the plantation had arrived, and the remainder gave no opinion. No villager interviewed was happy that the company was present. Loss of the forest and the consequent impacts on livelihoods was almost exclusively the main reason for complaints against the company. Many villagers interviewed said that they wanted the company to stop destroying the forest and return their agricultural land back to them.

Wuzhishan LS Group, Mondolkiri province

Wuzhishan was established only recently as a company (May 2004); in August 2004 the company received permission in principle to establish a 199,999 Ha pine tree plantation in Sen Monorom and Ou Reang districts of Mondolkiri province, with 10,000 Ha approved immediately for testing and commercial planting. In March 2005, the Prime Minister gave approval in principle for the planted area to be increased to 40,000 Ha, contingent on formal approval from MAFF.² There are also plans for a factory to be built in Mondolkiri province to convert the pine trees into resin and timber, for use in Cambodia and for export. The concession boundary also overlaps in part with the 'Seima Biodiversity Conservation Area'.

The area is home to many Phnong indigenous communities, as well as Khmer households, and is characterized by gently rolling grassy hills with mixed-deciduous dry forest in the valleys. The Phnong are animists: their beliefs are intimately linked with the landscape, with burial grounds and spirit forests holding particular importance. Article 23-28 of the Land Law provides special provisions for indigenous peoples, including legal recognition of the concept of indigenous communal property.

In planning the concession, there was no consultation with the local communities, and extremely limited communication with the local authorities. No EIA or SIA has been completed, and there is no official publicly available map indicating the extent of the granted concession. In September 2004, Wuzhishan began operations in earnest, liberally applying the herbicide glyphosate to areas of the concession's grasslands, burning the dead vegetation, and commencing the planting of 250,000 pine seedlings. In preparing the land for the concession, Wuzhishan has indiscriminately cleared not only grassland used by the local Phnong population for cattle grazing, but also spirit forests and ancestral burial grounds which are essential elements of the Phnong culture. The use of the herbicide was widely criticized by the communities: it is believed to have contaminated water resources, to have affected human health, and to have been responsible for the death of at least 10 cattle, although government authorities have disputed this and claimed the herbicide to be safe.

The concession will affect seven communes in three districts, although the precise boundaries of the concession are unknown (including the extent of area to be set aside for the villagers). Lack of clarity in the precise plans for the concession led more than 400 Phnong residents to submit a petition to the Ou Reang District Governor in September 2004. Large protests erupted on 16 June 2005, when between 650 and 800 mostly Phnong people affected by the plantation protested in front of the company's office in Sen Monorom town. This led the Council of Ministers to issue a Notification on 17 June 2005, ordering Wuzhishan to suspend planting immediately in all areas of the concession. An inter-ministerial committee was set up to resolve the problem. Despite

² Special Representative of the Secretary-General for Human Rights in Cambodia "Wuzhishan LS Group: A Pine Tree Plantation in Mondolkiri Province", Cambodia Office of the High Commissioner for Human Rights, June 2005.

this, in late June, communities protested the apparent lack of progress and the company's continued planting, blockading roads in the concession-affected communes. The affected communities were subsequently reported to be subject to numerous threats and intimidation tactics. The blockades lasted for around a week before the company broke it with trucks full of workers wielding hoes, knives and sticks.

The pending arrival of King Norodom Sihamoni to celebrate National Forestry Day on 9 July 2005 in Mondolkiri led around 200 villagers on 7 July 2005 to skirt police road blocks and gather together in Sen Monorom town. The villagers gathered near the provincial office in the hope of gaining an audience with the King. Later the same day the villagers met H.E. Nuth Sa An, Secretary of State in the Ministry of Interior. They agreed to leave Sen Monorom town in exchange for a guarantee that a provincial committee would be formed to conduct field research that would report to the inter-ministerial national committee in an effort to resolve the dispute. It was also agreed that Wuzhishan would immediately suspend planting in the two communes. The provincial committee was also charged with investigating possible land encroachment by Wuzhishan onto land previously allocated to the Marubeni Development Corporation, a Japanese company planning to plant rubber trees.

On 11 July 2005 the provincial-level committee commenced its activities, conducting field research for a total of two days. On 26 July 2005 the inter-ministerial committee, in reporting the provincial committee's findings, found that in total Wuzhishan had planted 8,938 Ha with pine trees, had partially planted 4,284 Ha, and had prepared a further 3,295 Ha for planting, totaling 16,517 Ha to-date. On Marubeni's land, 4,508 Ha had already been planted with pine trees by Wuzhishan, 2,111 Ha had been partially planted, and 1,162 Ha had been prepared, totaling 7,780 Ha. The inter-ministerial committee therefore concluded that Wuzhishan should withdraw from Marubeni's land. Regarding encroachment onto villagers land, the inter-ministerial committee said that negotiations had been difficult and that at present it had only been agreed that the company would be required to build fences around its concession to avoid encroachment.

Wuzhishan recommenced planting on the 18 August without having negotiated any solution with communities. At the time of writing, latest reports indicate that, despite requests by Dak Dam and Sen Monorom communes for a 10km and 3km clearance around their respective villages, only a 500m clearance will be granted. Under the 2001 Land Law, much of the land in the concession may be eligible for indigenous communal title, but this fact has not been recognized by the government or the company.

Almost all households interviewed (98%) were engaged in agriculture and animal raising as their primary occupation. 65% said that the company's activities had affected these agricultural activities, owing mainly to loss of farmland and effects from the spraying of the herbicide glyphosate. In a focus group held in Sen Monorom commune, it was said that many woman villagers do not now go out to farm because they are afraid company workers will rape them.

Fishing and NTFP collection were important secondary activities. There has been no significant decrease in the number of interviewees going fishing (71%), although fish stocks have decreased, owing mainly to illegal fishing activities and a drought occurring this year. There has been no decrease in the number of interviewees collecting NTFP (81%). Interviewees did, however, report a significant decrease in the availability of timber, which was mainly blamed on Wuzhishan having cleared the forest. The

abundance of wildlife was also noted to have decreased, owing to hunting activities carried out by many different stakeholders, as well as loss of habitat resulting from Wuzhishan's activities.

At the time of writing, the precise extent of loss of assets for villagers is unknown, because the precise boundary of the plantation in the vicinity of villages remains under negotiation. Despite this, 57% of interviewees said that they would lose some of their farmland. Furthermore, it is certain that large areas of grassland away from the village centers, presently used by villagers for cattle grazing, are being lost. Natural forest and fruit trees (growing both in forests and on open grasslands) that are vital to NTFP collection are being felled, and tracks used by the Phnong are being obstructed. Furthermore, animals, fruit and crops are being stolen by the company workers.

Important cultural sites, namely, spirit forests and burial grounds, have also been destroyed. Legal recognition of land ownership is complicated by the communal ownership systems practiced by the indigenous Phnong people. These are recognized by the Land Law (2001), although these provisions require the passing of a separate sub-decree to become effective. There is a climate of fear, and insecure tenure of land.

In total, 21% of the households interviewed said that they had members working on the plantation. Each worker worked for eight hours per day, and was paid between US\$30 and US\$42.50 per month, with several workers also receiving 25kg of rice per month. UNCOHCHR have described working conditions on the plantation as harsh. Interviewed villagers identified that: when sick they cannot ask for personal leave; they have to work hard; they do not get enough salary; they were worried by the alleged case of rape among the workers; there was pressure on them to work hard; and the workers stole sheep, dogs and cows from the villagers to eat. More recent reports (August 2005) indicate that most employees on the plantation are now migrant workers, and not local indigenous Phnong people.

The Wuzhishan concession has had serious negative impacts on the local, mainly indigenous Phnong, people's livelihoods, provoking serious protests and necessitating central-level government to intervene in negotiations for a solution. A lack of consultation with the local population during the initial stages of the concession's development has led to serious mistrust towards the company and a general feeling that local people's concerns are not being adequately addressed. Similarly, local government departments and the local authorities were not consulted and have been left on the sidelines in the decision-making process. Asked how they felt about the company, 88% of the households interviewed said they did not like it, and 11% said they did like it because they could get work. Although some villagers want the company to leave, most are willing to negotiate and accept the company's presence as long as it does not encroach on their land; to-date, the inter-ministerial commission has deemed that the villagers are asking for too much land, and no solution has been found.

Local use of acacia, eucalyptus and melaleuca trees, Prey Veng and Svay Rieng

Prey Veng and Svay Rieng provinces, located in southeastern Cambodia, are important areas of rice production, although soil quality is generally poor and the area commonly suffers from flood and drought. The area is characterized primarily by lowland rain-fed rice fields for the production of wet-season rice, with very few areas of forest and other natural resources. In these areas, villagers grow acacia, eucalyptus and melaleuca trees planted on degraded land between rice fields and around their houses. Villagers said that

they grow the trees because there are no other wood sources available in the area for firewood or building material and, furthermore, because no other tree types are suitable for the degraded land.

10 villages were surveyed in total. 90% of households interviewed were farming households, and most households conducted animal raising as an additional income-generating activity (cows, pigs, chickens, ducks). Farmers were generally subsistence level, with any surplus rice generated sold for cash income. Overall, 77% of those interviewed grew at least one type of fast-growing tree (acacia, eucalyptus or melaleuca). Of those villagers that planted trees, 65% had grown them for between one and five years, 20% had grown them for between six and 10 years, and the remainder for longer than 10 years. Asked whether they had been taught how to plant the trees, 98% said no. According to some of those interviewed, the seedlings that were planted originated from Vietnam.

Asked whether they thought the growing of these trees affected the quality of the land, 4% said it was beneficial to the land, 51% said that the trees were bad for the land because they affected soil quality, 12% said that the trees did not impact the land, and the remainder was not sure. Several villagers noted that after they plant the trees near a pond, the fish stocks disappear. Villagers who did not plant trees were asked whether they liked other villagers planting the fast-growing trees. 38% said it was not a problem, 15% said it was a problem, and the remainder was not sure. Of the villagers who had not planted trees to-date, 46% intended to plant trees in the future, whereas 38% did not and the remainder was not sure. People said they wanted to grow the trees because the wood grows fast. Some said no because they thought that the trees degraded the land.

The situation in Prey Veng and Svay Rieng is in no way comparable with the impacts of large-scale monoculture plantations. Many of the interviewees grew fast-growing trees, but the type of landscape means that the trees are planted relatively sporadically and the principal activity is rice production. The case study demonstrates a circumstance under which the use of fast-growing trees has been seen as a valuable resource under conditions of scarcity. Importantly, because villagers control the land, they are able to decide which trees to plant, and what to do with the trees once they have grown.

Summary and conclusions

The research presented in this report demonstrates the link between Cambodian rural communities affected by economic concession developments, and the land and natural resources on which they depend. None of the plantations visited is properly operational at present, but all are in the process of being established. In other words, this research has documented the initial displacement of people and their livelihoods, and alteration of the original rural environment to that of a fast-wood monoculture.

Key conclusions of the report are:

- There has been an inevitable impact on the environment to-date as a result of the process of establishing plantations:
 - Destruction of large swathes of forest with concomitant decrease in biodiversity, with probable impacts on watershed functions and ecosystem stability;
 - Decrease in the abundance of wildlife;

- Negative impacts on water resources, including pollution that has changed the color of streams, possible contamination with herbicides in the case of Wuzhishan's concession, and filling in of streams in the Pheapimex concession.
- There are also several probable future impacts on the environment:
 - Further loss of forest as concessions are developed to their full extent;
 - Impacts on water balances and local hydrology once fast-growing trees are planted and established; fast-growing trees are well known for lowering ground water tables and drying up streams because of their high demand for water, as well as altering local hydrological conditions;
 - Low biodiversity within the monoculture plantations;
 - Accelerated soil degradation, pest infestation and negative impacts from the routine use of pesticides and herbicides;
 - Environmental pollution resulting from the development of a pulp and paper plant on Pheapimex's concession, and a processing plant on Wuzhishan's concession.
- Owing to a lack of environmental impact assessment, the full extent of the environmental impacts is not yet fully understood.
- Numerous social impacts on local affected communities have also been identified:
 - Loss of access to NTFP will seriously affect many local livelihoods. There is an important link between communities and the local forests that provide NTFP, collected both for family use and to generate income. NTFPs also form an important safety net when harvests fail;
 - Loss of agricultural land, the extent of which is often unknown owing to the unavailability of maps designating concession boundaries and identifying areas set aside for communities. There is often no clear indication of how much compensation will be provided, if any;
 - Loss of access to other resources, including water resources, grazing areas and fishing areas;
 - With the exception of Wuzhishan's concession in Mondolkiri, plantations have failed to provide jobs for local people, instead preferring to employ outsiders. Working conditions are difficult at best; in the case of Green Rich's concession, they are reportedly intolerable. The legality of the working conditions on some of the concessions is questionable;
 - In all concessions, with the exception of Green Rich, the arrival of the company has been accompanied by threats and intimidation against those elements of the local communities that have resisted the development;
 - The relationship between the companies and the communities is poor, and the relationship with the local authorities is not much better. There has been little to no consultation conducted. Many decisions regarding the concession are taken at a central level of government leaving the local authorities powerless.
- All four concessions visited are in breach of the 10,000 Ha limit provided in the 2001 Land Law. Lack of EIA and SIA in most concessions is of serious concern. The lack of EIA and SIA in all concessions is of serious concern; in the case of the Green Rich (Botum Sakor National Park) and Wuzhishan (Seima Biodiversity Conservation Area) concessions, the complete disregard of the status of protected areas is also worrisome, although the recent court case brought forward by the Ministry of Environment against Green Rich is a positive step.
- Overall, the communities' experience of plantation development to-date in Cambodia has been negative, and is associated most strongly with alienation from, and destruction of, the natural resources and land upon which they depend, with few new livelihood opportunities offered in their place.

Recommendations

The RGC's plans, and notable efforts, for economic development and concomitant poverty alleviation in Cambodia are commendable. Yet, economic development is constructive only when the overall social impact is positive, and is not at the expense of Cambodia's environment and its diverse and inherently valuable natural resource capital. At present, there is a lack of agreement on whether the establishment of fast-wood plantations is contributing to or detracting from the economic development of Cambodia and, furthermore, whether this will result in equitable economic development for the population as a whole. It can be said with more certainty, however, that plantation development has had significant negative impacts on the environment and some detrimental social ramifications.

This report does not claim to be an economic appraisal of the economic concession model, currently adopted by the RGC, as a whole. It is intended only to contribute to the economic concession debate, and not to provide a definitive answer. The results of the field investigations have demonstrated, however, significant negative social and environmental impacts associated with four major plantations currently in the process of establishment. Plantations may or may not be appropriate for Cambodia's overall economic development but, if pursued, must be developed in an environmentally and socially responsible manner.

It is the overall recommendation of this report that environmental and social impacts must be adequately taken into account when decisions are taken regarding the approval of existing or future economic concessions. In addition, it is recommended that there be further policy debate on whether the promotion of economic concessions is the best development paradigm for poverty reduction in Cambodia and that the potential benefits of alternative rural development strategies be seriously considered.

The link between local communities, the land and natural resources

The RGC should recognize the link between local communities' livelihoods and the land and natural resources upon which they depend. This includes farming land, forest land and NTFP, and other resources such as water and fisheries. The communities that will be displaced by concession developments are among the poorest and most vulnerable; their alternative livelihood following displacement must therefore be a consideration of the utmost concern. Alternative strategies for poverty alleviation including, for example, agricultural outreach, small credit schemes, and livelihoods diversification, should be considered as alternatives to the economic concession model to alleviate rural poverty.

It should be equally recognized that, in many places, local communities are destroying the natural resource base. Appropriate training can counter this trend, while the formation of projects such as community forests give communities a sense of ownership of, and commitment to, natural resources ensuring a long-term perspective and sustainable exploitation.

Public access to information

There is a lack of publicly available information on many aspects of the present status of economic concessions. Donors in particular should pursue their requests for immediate public disclosure of concession-related information as made at the last Consultative Group meeting: demands that remain, as of yet, largely unmet. Information that should

be disclosed includes: maps of concession boundaries; EIAs; investor evaluations including disclosure of parent companies; concession contracts; and compliance status.

The economic concession development process

The process by which economic land concessions are granted should be examined and overhauled. An appropriate process would involve first the appropriate government agency identifying areas of land suitable for development as an economic concession, followed by a competitive bidding process held in an open, accountable and transparent manner. In contrast, the present system appears to be based on the identification of a concession area by the company itself, which is then requested directly from MAFF; the subsequent approval process is non-transparent and therefore unaccountable.

Communities should be consulted *at the planning stage* before a concession is granted, and should be actively engaged in the planning process. It is apparent that, at present, communities are poorly, if at all, engaged in the planning process. Because of this, it is far less likely that communities will benefit economically from a plantation development. At a minimum, participation would include information in an appropriate form being disseminated to potentially affected communities, and public forums held where officials of sufficient authority can deal with community concerns. Better still would be a process of 'Participatory Land Use Planning' (PLUP) involving community identification of land-uses, including that which could potentially be utilized as an economic concession.

It is possible for plantation companies to act in a more responsible manner, and the Marubeni Development Corporation in Mondolkiri province may provide a good example of this, although it is not yet clear whether Wuzhishan has irreversibly affected the land that Marubeni had been allocated. It is understood that Marubeni has already conducted feasibility studies involving consultation with local communities and that, before moving forward, the company planned to conduct both EIA and SIA. It was also locally reported that the company had expressed an interest in working on a pilot project to award community titles to indigenous Phnong villagers living in the area.

Land encroachment

All concessions should be marked on publicly available maps and clearly staked *before* clearing and planting begins, to avoid unlawful encroachment on public or private land. There should be adequate time for communities and the local authorities to verify the concession boundaries, and a transparent, accessible and rapid mechanism for cases of dispute.

Resettlement, loss of assets, and compensation

At present, there is confusion among villagers regarding how much compensation they will receive for lost land, or indeed if they will receive any. The RGC has guidelines that are enforced for official development projects, such as those financed by multilateral finance institutions, although it is not clear whether they will be enforced for private companies. A sub-decree on resettlement is yet to be completed. Compensation given to resettled communities, or those that have lost assets, should be adequate to ensure villagers are able to set up a new life of equivalent security and socio-economic benefit. Missions to agree resettlement and compensation terms with communities should not be conducted under conditions of threat or intimidation, for example by using the armed forces or police to accompany officials.

Employment

If there are to be any benefits to local populations from the initial employment generated in establishing plantations, then local people should be employed on the plantations.

Beyond the initial plantation-establishment period, when employment opportunities on the plantation decline, strategies to provide alternative livelihoods/employment should be developed to support families unable to gain regular employment on the plantation.

Working conditions on plantations are difficult and hazardous, and mostly located in remote malarial areas, where access to health facilities and in some cases even markets is extremely limited. However, this does not exorcise the companies' responsibility to abide by Cambodia's labor laws, which should be enforced because of these difficult circumstances and not in spite of them.

Accountability of the company

Companies must be held to account for the social and environmental responsibilities stipulated in their contracts (despite contracts at present not always being publicly available). Importantly, following the example of Green Rich, companies should be severely penalized if they break the conditions of their contract. Beyond the contractual terms of agreement, definite steps should be taken to ensure that companies provide benefit for local communities. This should not just be in terms of employment, which should be subject to some form of guarantee, but also in terms of the physical and social infrastructure that is often promised to communities before a project proceeds, but not always fulfilled.

The law

At a minimum, all economic concessions should be developed within the bounds of Cambodian Law, including the 2001 Land Law, the 1996 Law on Environmental Protection and Natural Resource Management, and relevant sub-decrees as they are passed. This includes:

- Economic concessions should only be granted on land legally registered as private property of the state.
- Economic concessions should not affect private ownership or collective ownership of local communities.
- Economic concessions should not be established in land potentially eligible for communal land titling until the appropriate laws are developed and land title surveying conducted.
- Community lands should be reserved to account for long-term population growth in a proposed economic land concession area.
- Submission and approval by the appropriate ministries of an environmental impact assessment should occur before any economic concession commences activity. The EIA should, furthermore, be made available to civil society and in particular the affected communities, to allow meaningful participation in the approval process.
- Concession contract should be signed and registered with the Ministry of Land before the commencement of agricultural operations.
- Economic concessions areas should not exceed 10,000 Ha in size.
- Economic concessions should not be established in protected areas.
- Benefits to local communities should be guaranteed by concessionaires.

Many of the recommendations of this report are already incorporated into Cambodian law. Therefore, it is strongly recommended that the rule of law is fully implemented by the RGC, and that companies operating economic concessions abide by these laws.

សេចក្តីសង្ខេប

សេចក្តីផ្តើម

ដំណើរការឆ្លើយតបគំរោងការលើដាំធំៗ នៅក្នុងប្រទេសកម្ពុជាតាមគំរូអភិវឌ្ឍន៍បែប " សម្បទានសេដ្ឋកិច្ច " កំពុងតែក្លាយជាបញ្ហាមួយដ៏មានសារៈសំខាន់នៅក្នុងរយៈពេលប៉ុន្មានឆ្នាំនេះ និងទាមទារអោយមានដំណោះស្រាយជាបន្ទាន់។ សម្បទានសេដ្ឋកិច្ច គំរូអភិវឌ្ឍន៍ឆ្លងឆ្នាំ ហើយប៉ះពាល់ដល់ប្រជាជនជាច្រើនដែលភាគច្រើនរស់នៅតាមជនបទ ហើយជាទូទៅពួកគាត់ស្ថិតក្នុងជំពូកជនក្រីក្រ និងជនដែលងាយរងគ្រោះ។ បើទោះបីជាអ្នកគាំទ្រនូវគំរូសម្បទានសេដ្ឋកិច្ចលើកឡើងថា ការធ្វើការធំៗបែបនេះមានសារៈសំខាន់ចំពោះការអភិវឌ្ឍសេដ្ឋកិច្ចកម្ពុជាក៏ដោយ ក៏អ្នកផ្សេងទៀតអះអាងថា វាមានផលវិបាកអវិជ្ជមានជាច្រើន ហើយជាទូទៅប្រជាជនក្រីក្រដែលរស់នៅតាមជនបទមិនទទួលបានផលប្រយោជន៍អ្វីឡើយ ប៉ុន្តែផ្ទុយទៅវិញពួកគេបែរជាទទួលបានផលប៉ះពាល់អវិជ្ជមាន។ ការធ្វើការលើដាំធំៗនៅប្រទេសកម្ពុជាកំពុងស្ថិតនៅក្នុងដំណាក់កាលដំបូងនៅឡើយដោយមានសម្បទានជាច្រើននៅពេលបច្ចុប្បន្ននេះមានអត្ថិភាពតែនៅលើផ្ទៃដីដែលកំណត់ក្នុងផែនទីប៉ុណ្ណោះ។

ប៉ុន្តែសម្បទានខ្លះបានឈានដល់ដំណាក់កាលល្អសម្រាប់ និងការបំប្លែងព្រៃឈើ ផ្លាស់ប្តូរលំនៅដ្ឋានថ្មីសំរាប់ប្រជាពលរដ្ឋ និងដាំដើមឈើ។ ដូចនេះវាគឺជាឱកាសក្នុងការពិនិត្យមើលទៅលើសារៈប្រយោជន៍ និងគុណវិបត្តិនៃគំរូសម្បទានគោលដៅសេដ្ឋកិច្ចដើម្បីវាយតម្លៃថា តើវាគួរជាសមាសភាពមួយចាំបាច់ក្នុងដំណើរការអភិវឌ្ឍន៍សេដ្ឋកិច្ចកម្ពុជា ដែរឬទេមុនពេលគំរោងនេះត្រូវបានអនុវត្តនៅពេញផ្ទៃដីកម្ពុជា។

ការធ្វើការធំៗមានច្រើនរូបភាព ហើយនៅក្នុងរបាយការណ៍នេះត្រូវបានកំណត់ថាជាការប្រកបម្ម (monoculture) ជាពូជមានតម្លៃសេដ្ឋកិច្ចដែលត្រូវដាំនៅលើផ្ទៃដីធំៗឈើឈើ។ ប្រភេទពូជបែបនេះរួមមានដើមអាកាស្យាដែលដុះធំឆាប់លឿន ដើមប្រេងខ្យល់ និងដើមស្រស់ ត្រូវបានស្គាល់ថាជាប្រភេទឈើដែលដាំទៅវាឆាប់ធំ។ នៅក្នុងពិភពលោកគេបានអះអាងថា ការធ្វើការដាំដើមឈើដែលធំលឿននេះមានសារៈប្រយោជន៍សំរាប់ជាម្ចាស់ដីដាំដើមឈើឡើងវិញ ដើម្បីបង្ការការហូរច្រោះដី និងទឹកជំនន់ កាត់បន្ថយសំពាធ មកលើព្រៃឈើធម្មជាតិ កាត់បន្ថយភាពក្រីក្រ ប្រឆាំងទប់ទល់នឹងការផ្លាស់ប្តូរអាកាសធាតុ និងដើម្បីផ្តល់ការងារ ជូនប្រជាជននៅទីដាច់ស្រយាលដែលពីមុនមិនធ្លាប់មាន។ ប៉ុន្តែការអះអាងបែបនេះតែងតែត្រូវបានជំទាស់ជា ញឹកញាប់។ អ្នកប្រឆាំងចំពោះការធ្វើការដែលមានលក្ខណៈធំធេងបែបនេះលើកឡើងថា វាមានផលប៉ះពាល់អវិជ្ជមានយ៉ាងច្រើនលើផ្នែកបរិស្ថាន និងសង្គមដែលផ្នែកទាំងនេះមានចំណងទាក់ទងគ្នាយ៉ាងជិតស្និទ្ធ។ ផលប៉ះពាល់ទាំងឡាយផ្នែកបរិស្ថានរួមមាន៖ ការបំផ្លាញព្រៃឈើបណ្តាលអោយមានការថយចុះផ្នែកជីវៈចម្រុះដែលនាំអោយប៉ះពាល់ដល់ស្ថេរភាព និងមុខងារប្រព័ន្ធអេកូឡូស៊ី ការបំផ្លាញធនធានទឹក និងអាងបង្ហូរទឹកបំបាត់ប្តូរចំពោះអាកាសធាតុទៅទីតាំងនោះ និងសមភាពទឹកការថយចុះគុណភាពដីកើតជំងឺរាតត្បាត និងការបំប្លែងដោយសារធាតុគីមីកសិកម្ម។ ចំណែកផលប៉ះពាល់សង្គមវិញរួមមាន៖ ការបាត់បង់ដីធ្លីទ្រព្យសម្បត្តិ និងលទ្ធភាពទទួល

បានធនធានធម្មជាតិការវាយខ្លាចអំពីសន្តិសុខ និងការទន្ទ្រានយកដី និងការរំលោភសិទ្ធិមនុស្ស។ ចំពោះអ្នកដែល គាំទ្រការធ្វើការលើដីអះអាងថា ផលប៉ះពាល់ជាអវិជ្ជមានកំរិតជាអប្បបរមានៅពេលដែលការគ្រប់គ្រងគំរោងបាន ត្រឹមត្រូវ ចំណែកឯអ្នកប្រឆាំងវិញអះអាងថាឧស្សាហកម្មនេះកំពុងបំផ្លិចបំផ្លាញបរិស្ថាន និងសង្គម។ នៅលើ សាកលលោកភាគច្រើនការធ្វើការដាំដើមឈើដែលលូតលាស់លឿនបែបនេះ តែងតែមានភាពចម្លងចំរាស់ និង ជាប្រភពនៃវិវាទសង្គមយ៉ាងធ្ងន់ធ្ងរនៅបណ្តាលប្រទេសមួយចំនួន។

កម្ពុជាធ្លាប់មានពិសោធន៍ក្នុងការធ្វើការធំៗ នៅក្នុងសម័យអាណានិគមបារាំងដែលមានធ្វើការកៅស៊ូ ធំៗមួយចំនួននៅក្នុងខេត្តកំពង់ចាម និងខេត្តក្រចេះ ហើយនៅតែបន្តប្រតិបត្តិការណ៍រហូតមកដល់សព្វថ្ងៃនេះ។ តែ ទោះបីជាយ៉ាងនេះក៏ដោយ ការធ្វើការបែបនេះបានកើនឡើងយ៉ាងលឿននៅក្រោយសម័យអន្តរកាលសេដ្ឋកិច្ច កម្ពុជាទៅជាសេដ្ឋកិច្ចទីផ្សារនាដើមទសវត្សរ៍ឆ្នាំ១៩៩០។ ចំការដែលត្រូវបានស្នើសុំ និងដែលបានដំណើរការនៅ ក្នុងកំឡុងពេលនេះរួមមាន ដើមអាកាស្យា និងដើមប្រេងខ្យល់ (ជាប្រភេទឈើដែលឆាប់ធំ) ដូងប្រេង ក្លូច អំពៅ ពោត កៅស៊ូ ម៉ែសាក់ និងស្វាយចន្ទី។ កាលពីខែកុម្ភៈ ឆ្នាំ២០០៣ UNCOHCHR បានរាយការណ៍ថា រហូត មកដល់ពេលបច្ចុប្បន្ននេះមានសម្បទានសេដ្ឋកិច្ចចំនួន៤០ ត្រូវបានអនុម័តយល់ព្រមដែលមានផ្ទៃដីសរុបចំនួន ៨០៩.២៩៦ ហិកតា បើទោះបីជាមិនគ្រប់សម្បទានទាំងអស់ក៏ដោយ ក៏បានបន្តកសាងជាចំការពិតប្រាកដក៏ដោយ (UNCOHCHR, 2004)។ ប៉ុន្តែបញ្ជីឈ្មោះសម្បទានសេដ្ឋកិច្ចទាំងនេះទំនងដូចជាមិនទាន់ពេញលេញនៅ ឡើយ។

ប្រទេសកម្ពុជាមានច្បាប់មួយចំនួនដែលពាក់ព័ន្ធនឹងការអភិវឌ្ឍសម្បទានសេដ្ឋកិច្ចរួមមាន ច្បាប់ភូមិបាល (ឆ្នាំ ២០០១) ច្បាប់ស្តីពីព្រៃឈើ (ឆ្នាំ ២០០៣) និង ច្បាប់ស្តីពីកិច្ចការពារបរិស្ថាន និងគ្រប់គ្រងធនធានធម្មជាតិ (ឆ្នាំ ១៩៩៦)។ ក្រៅពីនេះនៅមានអនុក្រឹត្យពាក់ព័ន្ធមួយចំនួនទៀតរួមទាំង អនុក្រឹត្យស្តីពីសម្បទានសេដ្ឋកិច្ច ដែលនឹងត្រូវអនុម័តនៅក្នុងពេលសរសេរ។ ទិដ្ឋភាពមួយចំនួននៃច្បាប់ទាំងឡាយជាធរមានត្រូវបានរំលោភបំពាន។ ឧទាហរណ៍: ច្បាប់ភូមិបាលចែងថា ស្លឹកណាតែមានករណីពិសេស សម្បទានសេដ្ឋកិច្ចមិនត្រូវមានទំហំលើសពី ១០.០០០ហិកតាឡើយ ប៉ុន្តែតាមការជាក់ស្តែងសម្បទានជាច្រើនមានទំហំលើសពីការកំរិតនេះ។³

សម្បទានសេដ្ឋកិច្ចនៅកម្ពុជា ត្រូវបានពពាយនាយថាមានការចាំបាច់ក្នុងការបង្កើនចំណូលចាំបាច់ឱ្យបាន ច្រើនសំរាប់ប្រទេសជាតិ (តាមរយៈថ្លៃជួលដីនិងប្រាក់ពន្ធ) បង្កើនសហគ្រាសឯកជនព្រមទាំងបង្កើតការងារ សំរាប់ សហគមន៍នៅជនបទដែលនឹងរួមចំណែកដល់គោលដៅក្នុងការកាត់បន្ថយភាពក្រីក្រ។ ប៉ុន្តែអ្នកសង្កេតការណ៍ខ្លះ បានសរសេរថារហូតមកដល់ពេលនេះមានភស្តុតាងតិចតួចដែលបញ្ជាក់អំពីសារៈប្រយោជន៍ ដែលបានលើកឡើង ហើយបានអះអាងនូវហេតុផលផ្សេងទៀតសំរាប់សម្បទានសេដ្ឋកិច្ចបន្ថែមទៅលើគោលបំណងកសិកម្ម របស់ពួក

³ ច្បាប់ភូមិបាល ឆ្នាំ២០០១: សម្បទានដីអាចមានទំហំច្រើនបំផុតត្រឹមតែ ១០.០០០ (មួយម៉ឺនហិកតា) ហិកតា។ សម្បទានដីដែលសំរេចហើយ ហើយមានទំហំលើសពីទំហំកំណត់ខាងលើ ជាកម្មវត្ថុនៃការកាត់បន្ថយ។ ប៉ុន្តែប្រសិនបើការកាត់បន្ថយនេះមានឥទ្ធិពលធ្វើឱ្យខូចប្រយោជន៍អាជីវកម្មដែល កំពុងមានដំណើរការ សម្បទានដីអាចនឹងទទួលបានការលើកលែងជាពិសេស

គេរួមទាំងការច្រៀតវាងពីច្បាប់ស្តីពីព្រៃឈើ (ឆ្នាំ២០០២) ដែលកាន់តែតឹងរឹងជាងមុនដើម្បីកាប់ឈើ នៅក្នុងតំបន់ ព្រៃឈើល្អៗ និងសំរាប់ផលប្រយោជន៍ក្រុមហ៊ុនដ៏ធំក្នុងការទាញយកផលប្រយោជន៍ពីការកំណត់ហាង ឆេងដី។ (UNCOHCHR, 2004) វាមានការលំបាកពន់ពេកសម្រាប់ការទទួលបានព័ត៌មានជាមូលដ្ឋានស្តី ពីសម្បទាន សេដ្ឋកិច្ចដែលពិតជាកំណត់នូវលទ្ធភាពរបស់សង្គមស៊ីវិលក្នុងការតាមដានត្រួតពិនិត្យ និងចូលរួមនៅក្នុងសេចក្តី សំរេចចិត្តដែលប៉ះពាល់ដល់ស្រទាប់ដីធំនៃសង្គមកម្ពុជា។

សេចក្តីសង្ខេបនៃការស្រាវជ្រាវ

ការវិភាគជាច្រើនអំពីបាតុភូតនៃការធ្វើការឈើដាំដែលមានទ្រង់ទ្រាយធំៗ តាមទស្សនទានអន្តរជាតិ តំបន់ និងនៅកម្ពុជាត្រូវបានសរសេរក្នុងរយៈពេលប៉ុន្មានឆ្នាំថ្មីៗនេះ។ របាយការណ៍នេះបង្ហាញជូននូវលទ្ធផលនៃការ ស្រាវជ្រាវនៅមូលដ្ឋានដោយក្រុមស្នូលនៃវេទិកាស្តីពីបរិស្ថាន (Environmental Forum Core Team) នៃវេទិកា អង្គការមិនមែនរដ្ឋាភិបាលស្តីពីកម្ពុជា (NGO Forum) នៅចន្លោះខែកញ្ញា ឆ្នាំ២០០៤ និង ខែមីនា ឆ្នាំ២០០៥ ទៅលើសម្បទានសេដ្ឋកិច្ចនៅប្រទេសកម្ពុជាដែលកំពុងអភិវឌ្ឍន៍នៅពេលបច្ចុប្បន្ននេះរួមជាមួយនឹងមួយ ភាគប្រាំនៃ តំបន់ដែលសហគមន៍ដាំដើមឈើលូតលាស់លឿន (តារាងទី១) ។

តារាងទី ១: ព័ត៌មានពីស្ថាប័ននៃសម្បទានសេដ្ឋកិច្ចដែលបានចុះស្រាវជ្រាវ

ទីតាំងសម្បទាន (ខេត្ត)	សម្បទានិក/ម្ចាស់ភាគហ៊ុន/ថ្ងៃអនុម័ត	ផ្ទៃដីសម្បទាន(ហិកតា) / គោលបំណង
ខេត្តកោះកុង	The Green Rich Co., Ltd តែវ៉ាន់ ១០០% / ២៥.១១.៩៨	១៨.៣០០ / ដើមអាកាស្យា និង ដើមដូងប្រេង
ខេត្តកំពង់ស្ពឺ	Cambodian Haining Group Co. ចិន១០០% / ២៣.៧.៩៨	២១.២៥០ / កូច ដើមដូងប្រេង និង ចិញ្ចឹមសត្វ
ខេត្តពោធិ៍សាត់និងខេត្តកំពង់ឆ្នាំង	Pheapimex Co., Ltd / n.a. 8.1.00	ពោធិ៍សាត់១៣៨.៩៦៣ កំពង់ឆ្នាំង១៧៦.០៦៥/ ដើម ប្រេងខ្យល់
ខេត្តមណ្ឌលគិរី	Wuzhishan L.S. Group	១៩៩.៩៩៩ (អនុម័ត ១០.០០០) / ដើមស្រល់
ខេត្តព្រៃវែង និង ខេត្តស្វាយរៀង	សហគមន៍	អ្នកភូមិដាំដើមអាកាស្យា ប្រេងខ្យល់ និងដើមស្លាច់នៅ ចន្លោះវាលស្រែ និងតាមរបងផ្ទះ របស់ពួកគាត់

គោលបំណងរួមនៃការស្រាវជ្រាវនេះ ដោយផ្អែកលើការស្រាវជ្រាវនៅក្នុងការិយាល័យ និងចុះតាម មូលដ្ឋានគឺដើម្បីកំណត់នូវអ្វីខ្លះដែលអាចជាសារៈប្រយោជន៍ និងគុណវិបត្តិនៃការអភិវឌ្ឍសម្បទានសេដ្ឋកិច្ចសំរាប់ ជីវភាពរបស់ប្រជាជននៅមូលដ្ឋាន។ ផលប៉ះពាល់បច្ចុប្បន្ន និងទៅអនាគតផ្នែកបរិស្ថាន និងសេដ្ឋកិច្ច-សង្គម មកលើសហគមន៍ពាក់ព័ន្ធត្រូវបានលើកយកមកពិនិត្យ ពិចារណារួមទាំងបញ្ហាផ្សេងៗទៀតដូចជា ការងារដែល ប្រជាជននៅមូលដ្ឋានទទួលបាន ការបាត់លទ្ធភាពទទួលបានធនធានធម្មជាតិ និងបែបបែបផែនការនៃទំនាក់ទំនងរវាង អ្នកដែលមានផលប្រយោជន៍ពាក់ព័ន្ធរួមមានអាជ្ញាធរមូលដ្ឋាន ក្រុមហ៊ុនធ្វើចំការ និងសហគមន៍។

ការស្រាវជ្រាវនៅមូលដ្ឋានផ្អែកលើការធ្វើបទសម្ភាសន៍ ដោយឆ្លើយសំណួរពាក់កណ្តាលជាមួយអ្នកផ្តល់ ព័ត៌មានសំខាន់ៗ និងតារាងសំណួរពីស្តារជាមួយគ្រួសារ (ចំនួន២៨៣គ្រួសារ) ហើយត្រូវបានធ្វើឡើងនៅចន្លោះ ខែកញ្ញា ឆ្នាំ២០០៤ និងខែមីនា ឆ្នាំ២០០៥។ ការកំហិតចំពោះការស្រាវជ្រាវនៅមូលដ្ឋានពាក់ព័ន្ធជាសំខាន់ជាមួយ នឹងគំរូសិក្សាតូចៗលើផ្ទៃដីធំលើលើយដែលគ្របដណ្តប់ដោយសម្បទានសេដ្ឋកិច្ច។ ភូមិករជាច្រើនដែលបានទទួលរង ការប៉ះពាល់ដោយការអភិវឌ្ឍដំណាំចំការត្រូវបានជ្រើសរើសសំរាប់ការធ្វើអង្កេត ដោយមានការប៉ាន់ស្មានថាភូមិ ទាំងនោះ និងផ្តល់ចំលើយប្រហាក់ប្រហែលគ្នានៅពេលអនាគត។

លទ្ធផលសំខាន់ដែលបានមកពីករណីសិក្សានីមួយៗ

● ក្រុមហ៊ុន Green Rich Co. Ltd., នៅខេត្តកោះកុង

Green Rich ត្រូវបានគេផ្តល់ដីសម្បទានចំនួន៦០.២០០ហិកតា សំរាប់ដាំដើមអាកាស្យា និងដើមដូងប្រេង នៅភាគនិរតីនៃខេត្តកោះកុងកាលពីខែវិច្ឆិកា ឆ្នាំ១៩៩៨ ។ សម្បទាននេះដែលត្រូវបានបន្ថយមកត្រឹម ១៨.០០០ ហិកតារិញនៅក្នុងខែមិថុនា ឆ្នាំ២០០៣ មានទីតាំងស្ថិតនៅស្ទើរតែនៅក្នុងឧទ្យានជាតិបូទុមសាគរទាំងមូល ហើយ ព្រៃឈើនៅទីនោះជាទូទៅត្រូវបានចាត់ទុកជាប្រភេទដែលគ្របដណ្តប់នៅក្នុងព្រៃពណ៌ខៀវត្រង់នេះបន្តិចត្រង់នោះ បន្តិច និងមិនសូវអោយផលរួមជាមួយតំបន់ព្រៃកោងកាងនៅតាមបណ្តោយឆ្នេរសមុទ្រ។ ជាប់តាំងតំបន់នោះជា ឧទ្យានជាតិប្រជាជនរស់នៅរហូតដល់ក្នុងសម្បទាននេះ បើទោះបីជាមានសហគមន៍ធំៗមួយចំនួនរស់នៅតាម បណ្តោយឆ្នេរក៏ដោយរួមជាមួយ និងសហគមន៍ខ្លះទៀតដែលរស់នៅតាមបណ្តោយទន្លេខ្លះដែលបង្កើតបានជាព្រំ ប្រទល់ដីគោកនៃតំបន់សម្បទានទៅភាគខាងកើត។ ក្រសួងបរិស្ថានគ្រប់គ្រងឧទ្យានជាតិបូទុមសាគរដោយមាន កិច្ចសហប្រតិបត្តិការជាមួយអង្គការអន្តរជាតិ Wild Aid ។ អ្នកប្រឆាំងចំពោះសម្បទាននេះលើកឡើងថាវាមានទី តាំងខុសច្បាប់នៅក្នុងឧទ្យានជាតិ ហើយលើសពីទំហំកំណត់ ១០.០០០ហិកតា ដែលកំណត់នៅក្នុងច្បាប់ភូមិបាល បើទោះបីជារដ្ឋាភិបាលអះអាងថា សម្បទាននេះគឺជាតំបន់ទ្រនាប់ដែលគ្របដណ្តប់ដោយព្រៃវិវិលវាលដែលមិន ប្រើប្រាស់ និងដីគ្មានជីវជាតិក៏ដោយ។ (Reynolds, 25.4.04)

Green Rich បានចាប់ផ្តើមសកម្មភាពរបស់ខ្លួននៅឆ្នាំ២០០៤ ដោយការកាប់គាស់ព្រៃកោងកាងនៅដងទន្លេខ្នង បើទោះបីជាខ្លួនមិនទាន់បានបញ្ចប់ការធ្វើវិភាគហេតុផលប៉ះពាល់បរិស្ថាន ឬផែនការគ្រប់គ្រងក៏ដោយ ។ នៅខែឧសភា ឆ្នាំ២០០៤ ក្រសួងបរិស្ថានបានបញ្ជាអោយផ្អាកប្រតិបត្តិការរបស់ក្រុមហ៊ុន Green Rich រហូតទាល់តែបញ្ចប់នូវវិធានការច្បាប់ចាំបាច់រួចរាល់សិន ។ ទោះបីជាមានបទបញ្ជានេះក៏ដោយ ក៏ក្រុមហ៊ុន Green Rich បានបន្តប្រតិបត្តិការកាប់ឈើ ហើយថែមទាំងត្រូវបានគេចោទប្រកាន់ពីបទរំលោភសិទ្ធិមនុស្សនៅលើដីសម្បទានរបស់ខ្លួននៅពេលដែលគេបានឃើញកម្មករស្ថិតក្នុងលក្ខខណ្ឌនៃការងារជាប់កិច្ចសន្យា ដែលចាំបាច់អោយមានការជួយសង្គ្រោះពីប្តីលីស និង អង្គការមិនមែនរដ្ឋាភិបាល ។ Green Rich បានដាក់ការវិភាគហេតុផលប៉ះពាល់បរិស្ថាន (EIA) នៅខែសីហាឆ្នាំ២០០៤ហើយបានបន្តប្រតិបត្តិការរបស់ខ្លួនបើទោះបីជា EIA មិនទាន់ត្រូវបានអនុម័តយល់ព្រមជាផ្លូវការក៏ដោយ ។ ប្រការនេះបានធ្វើអោយក្រសួងបរិស្ថានដាក់ពាក្យបណ្តឹងចំពោះក្រុមហ៊ុននៅខែមករា ឆ្នាំ២០០៥ រួមទាំងការទារសំណងជួសជុលចំនួន១លានដុល្លារអាមេរិក ហើយជាលទ្ធផលរឿងក្តីនេះនៅព្យួរទុកនៅឡើយ ។

ការស្រាវជ្រាវនៅមូលដ្ឋានត្រូវបានធ្វើឡើងនៅក្នុងភូមិកោះកុងក្នុងខេត្តកោះកុង ដែលជាសហគមន៍តូចមួយនៅតាមបណ្តោយទន្លេ ខ្នង ស្ថិតនៅទល់មុខនឹងស្នាក់ការរបស់ក្រុមហ៊ុន និងនៅភូមិ ជ្រោយប្រាស់ និង ភូមិ ថ្មី ដែលជាសហគមន៍ធំៗជាប់គ្នាពីរ មានទីតាំងស្ថិតនៅតាមបណ្តោយឆ្នេរនៃដីសម្បទាននេះ ។ សកម្មភាពចិញ្ចឹមជីវិតសំខាន់របស់ប្រជាជននៅភូមិកោះកុងក្នុង គឺការនេសាទត្រី ព្រមទាំងធ្វើកសិកម្មបន្តិចបន្តួច និងសកម្មភាពប្រមូលអនុផលព្រៃឈើ (NTEFP) ។ នៅភូមិជ្រោយប្រាស់ និងភូមិថ្មី សកម្មភាពចិញ្ចឹមជីវិតសំខាន់របស់ពួកគាត់គឺការនេសាទ និងធ្វើកសិកម្មដោយមានការពឹងផ្អែកតិចតួចទៅលើអនុផលព្រៃឈើ ។ ធនធានត្រីបានធ្លាក់ចុះនៅក្នុងរយៈពេលប៉ុន្មានឆ្នាំនេះដែលធ្វើអោយប៉ះពាល់ដល់ជីវភាពរស់នៅរបស់ប្រជាជន ប៉ុន្តែបញ្ហានេះត្រូវបានទំលាក់កំហុសទៅលើសកម្មភាពនេសាទខុសច្បាប់មិនមែនទៅលើសកម្មភាពរបស់ក្រុមហ៊ុនទេ ។ តែទោះជាយ៉ាងនេះក្តីអ្នកផ្តល់បទសំភាសន៍ពន្យល់បានបញ្ជាក់ថាសកម្មភាពនៅកន្លែងធ្វើចំការបានបំពុលចរន្តទឹកធ្វើអោយប៉ះពាល់ដល់ធនធានត្រីដែលបណ្តាលមកពីការបញ្ចេញចោលនូវប្រេងដែលមានជាតិពុលនៅពេលគេបកសំបកស្នាម ។

រហូតមកដល់ពេលនេះ ការចូលមកដល់របស់ក្រុមហ៊ុនបានធ្វើអោយប៉ះពាល់យ៉ាងធ្ងន់ធ្ងរដល់សហគមន៍ដែលរស់នៅក្បែរនោះ ។ នៅភូមិកោះកុងក្នុងក្រុមហ៊ុនមិនទាន់បានធ្វើអោយប៉ះពាល់ដល់ការប្រមូលអនុផលព្រៃឈើទេ ។ ប៉ុន្តែនៅភូមិជ្រោយប្រាស់ និងភូមិថ្មីមានការថយចុះនូវចំនួនអ្នកប្រមូលអនុផលព្រៃឈើពី ៣៦%-១៤% ។ ៣១% នៃចំនួនអ្នកដែលបានឈប់ ហើយបានបន្ទោសដោយផ្ទាល់ចំពោះក្រុមហ៊ុនដែលបានរារាំងពួកគេមិនអោយចូលព្រៃ ។ ឈើដែលអាចរកបានក៏បានធ្លាក់ចុះ បើទោះបីជាបញ្ហានេះត្រូវបានទំលាក់កំហុសជាសំខាន់ទៅលើសកម្មភាពអភិរក្សរបស់ក្រសួងបរិស្ថាន និងអង្គការ Wild Aid ក៏ដោយ ។ គេយល់ថាការធ្លាក់ចុះនូវបរិមាណសត្វព្រៃក៏ត្រូវបានទំលាក់កំហុសទៅលើសកម្មភាពរបស់ក្រុមហ៊ុនផងដែរ ។ ជាពិសេសសកម្មភាពកាប់ឆ្ការព្រៃ និងសំលេងម៉ាស៊ីន ។

សហគមន៍មូលដ្ឋានមិនត្រូវបានគេធ្វើការពិគ្រោះយោបល់ឡើយ នៅពេលដែលមានផែនការធ្វើសម្បទានសេដ្ឋកិច្ច ហើយជាទូទៅប្រជាជននៅភូមិជ្រោយប្រាស និងភូមិថ្មីបានដឹងតិចតួចអំពីសម្បទាននេះបើទោះបីជាសម្បទាននេះលាតសន្ធឹងរហូតទៅដល់ព្រំប្រទល់ភូមិរបស់ពួកគាត់ក៏ដោយ ។ បើទោះបីជាប្រជាជនជាច្រើន(៣៨%) នៅក្នុងភូមិកោះកុងក្នុងបានទទួលការងារធ្វើប៉ុន្មានខែនៅក្នុងចំការក៏ដោយ ក៏ប្រជាជននៅភូមិជ្រោយប្រាស និងភូមិថ្មីមានប្រជាជនតែ៧%ប៉ុណ្ណោះដែលបានទទួលការងារធ្វើ ហើយមិនសូវទៀងទាត់ទៀតផង ។ ពាក់ព័ន្ធនឹងការបាត់បង់សិទ្ធិលើដីធ្លី វាលស្រែតិចតួចដែលក្រុមហ៊ុនបានទាមទារក្នុងនោះពាក់កណ្តាលត្រូវបានសងវិញដោយផ្តល់ជាដីថ្មី ។

នៅភូមិកោះកុងក្នុង អ្នកភូមិចំនួន៦៣% សប្បាយរីករាយនឹងការចូលមកដល់របស់ក្រុមហ៊ុន ជាពិសេសគឺក្រុមហ៊ុនផ្តល់ការងារ ។ តែផ្ទុយទៅវិញប្រជាជននៅក្នុងភូមិដែលមានប្រជាជនច្រើនដូចជា ភូមិជ្រោយប្រាស និងភូមិថ្មី ប្រជាជនចំនួន៦៨% មិនសប្បាយរីករាយជាមួយនឹងការមកដល់របស់ក្រុមហ៊ុនឡើយ ជាពិសេសគឺការបំផ្លាញព្រៃឈើ និងផលប៉ះពាល់របស់វាមកលើជីវភាពរស់នៅទៅអនាគតរបស់គ្រួសាររបស់គេ ។ បច្ចុប្បន្ននេះសម្បទានត្រូវបានផ្អាក តែប្រសិនបើរាជរដ្ឋាភិបាលផ្តល់សម្បទានជាថ្មីម្តងទៀតអោយក្រុមហ៊ុនបន្តប្រតិបត្តិការនោះ ផ្ទៃដីធំទូលាយដែលមានតំលៃសំរាប់ប្រព័ន្ធអេកូឡូស៊ីរបស់ខ្សែស្រឡៅជាតិបូទុមសាគរនឹងត្រូវបំផ្លាញ ដូច្នោះត្រូវអភិរក្សទាំងជីវចម្រុះ និងតំលៃខ្សែទឹក ។ ការបាត់បង់លទ្ធភាពទទួលបានអនុផលព្រៃឈើបើទោះបីជាវាមិនមែនសកម្មភាពរកចំណូលសំខាន់ក៏ដោយ ក៏នឹងធ្វើអោយប៉ះពាល់ដល់ជីវភាពប្រចាំថ្ងៃរបស់ប្រជាពលរដ្ឋដែរ ។ បើទោះបីជាមានប្រជាជនតិចតួចរស់នៅក្បែរដីសម្បទាន ហើយនៅក្នុងសហគមន៍ដែលយើងបានទៅដល់គឺ (ភូមិជ្រោយប្រាស និងភូមិថ្មី) ទោះជាការពឹងផ្អែកលើធនធានព្រៃឈើជាសកម្មភាពទិញរបស់ពីការនេសាទត្រី និងកសិកម្មក៏ដោយ នៅពេលដែលចំការនេះកើតឡើង វាពិតជាដឹងប៉ះពាល់ជាអវិជ្ជមានមកលើជីវភាពរបស់ពួកគាត់ដោយសារការបាត់បង់ព្រៃកោងកាងដែលតំបន់នោះមានសារៈសំខាន់សំរាប់ការបង្កាត់ពូជរបស់ត្រីព្រមទាំងការបំពុលចរន្តទឹក និងផលប៉ះពាល់មកលើភាពសំបូរបែបនៃទឹកពីការដាំដើមអាកាស្យា ។

ក្រុមហ៊ុន Cambodia Haining Group Co., នៅខេត្ត កំពង់ស្ពឺ

ខេត្តកំពង់ស្ពឺស្ថិតនៅភាគនិរតីនៃប្រទេសកម្ពុជា ។ កាលពីខែកក្កដាឆ្នាំ១៩៩៨ក្រុមហ៊ុន Haining បានទទួលសម្បទានចំនួន ២១.២៥០ហិកតា នៅក្នុងស្រុកឱរ៉ាល់ និងស្រុកភ្នំស្រួចក្នុងគោលបំណងដាំក្នុង ដើមអាកាស្យា និងដូងប្រេង ដោយរួមទាំងសកម្មភាពចិញ្ចឹមសត្វ ។ តំបន់នេះត្រូវបានចាត់ថ្នាក់ថាជាតំបន់ដែលគ្របដណ្តប់ដោយព្រៃវិចារិល និងវាលស្រែរដូវវស្សា ។ ព្រំប្រទល់សម្បទានដែលបានកំណត់ជាប់ជាមួយតំបន់ដែនជំរកសត្វព្រៃភ្នំឱរ៉ាល់នៅប៉ែកខាងឦសាន ។ ចាប់តាំងពីឆ្នាំ ១៩៩៧ អង្គការអន្តរជាតិ Lutheran World Federation បានធ្វើការនៅក្នុងតំបន់នោះ ។

Haining បានចាប់ផ្តើមកាប់ឆ្ការព្រៃនៅក្នុងតំបន់សម្បទាននៅឆ្នាំ២០០២ ។ តែទោះបីជាដូច្នោះក្តីអ្នកភូមិដែលរងផលប៉ះពាល់បានធ្វើការតវ៉ាព្រមទាំងមានការវិភាគពីអង្គការអន្តរជាតិ Global Witness បានបង្ខំអោយក្រុមហ៊ុនបញ្ឈប់សកម្មភាពរបស់ខ្លួន ។ នៅពេលនោះអង្គការ Lutheran World Federation បានរាយការណ៍ថា

ក្រុមហ៊ុនបានដាំដើមប្រេងល្អុង (ល្អុងខ្នង) ចំនួន៥-៦ហិកតា សាងសង់ការិយាល័យ និងនាំចូលនូវឧបករណ៍ផុសផុល តំលើងម៉ាស៊ីនអារឈើ និងកសាងផ្លូវឯកជនមួយ។ ក្រុមហ៊ុនមានបំណងហាមឃាត់អ្នកភូមិមិនអោយប្រើប្រាស់ដី កសិកម្ម និងធនធានព្រៃឈើនៅក្នុងតំបន់សម្បទាន។ តែទោះបីជាយ៉ាងណាក៏ដោយនៅពេលនេះគ្មានអ្នកភូមិណា ម្នាក់បានបាត់បង់ដីធ្លីឡើយ លើកលែងតែដីសំរាប់ដាំក្នុងបញ្ឈប់ប្រតិបត្តិការហើយ។

ក្នុងពេលស្រាវជ្រាវនៅមូលដ្ឋានអ្នកស្រាវជ្រាវរបស់យើងបានទៅដល់ភូមិចំនួន៤ ដែលស្ថិតនៅក្នុងតំបន់ សម្បទាន។ ៨% នៃអ្នកផ្តល់បទសំភាសន៍ការធ្វើស្រែជាសកម្មភាពចំបងរបស់ពួកគេ។ ៥៤% ដុតធុងដើម្បីរក ចំណូលបន្ថែមដែលអាចរកប្រាក់បានពី ១៥ ទៅ ២៥ដុល្លាក្នុងមួយខែ។ ដោយសារឆ្នាំនេះជួបនូវគ្រោះរាំងស្ងួត និង ស្រូវមិនសូវល្អអ្នកភូមិបានប្រាប់អោយដឹងថា អ្នកភូមិជាច្រើនទៅរកឈើដើម្បីដុតធុងដែលជាមុខរបរមួយបន្ថែម ទៅលើការចំណូលតិចតួចពីការប្រមូលផលស្រូវដែលជាការបញ្ជាក់អោយឃើញពីតំលៃនៃអនុផលព្រៃឈើថា ជា សំណាញ់សុវត្ថិភាព (safetynet) ក្នុងការធានាសន្តិសុខជីវភាព។ លើសពីនេះទៅទៀតការដុតធុង ការប្រមូល អនុផលព្រៃឈើក៏មានសារៈសំខាន់សំរាប់គ្រួសារជាច្រើនដែលជាប្រភពចំណូលផង និងសំរាប់ជាការប្រើប្រាស់នៅ ក្នុងគ្រួសារផង ហើយត្រូវបានប៉ះពាល់យ៉ាងធ្ងន់ធ្ងរនៅពេលក្រុមហ៊ុនបានមកដល់ ដោយបានកំហិតលទ្ធភាពចូល ទៅក្នុងព្រៃដែលប្រជាជនធ្លាប់តែប្រមូលអនុផលព្រៃឈើពីមុនមក។ លទ្ធភាពក្នុងការរកឈើក៏ត្រូវបានកំហិតដោយ សារវត្តមានរបស់ក្រុមហ៊ុននៅទីនោះ សូម្បីតែនៅមុនពេលក្រុមហ៊ុនមកដល់អាជ្ញាធរមូលដ្ឋានបានខិតខំអនុវត្តច្បាប់ ការពារព្រៃឈើក៏ដោយ។

ប្រសិនបើសម្បទានក្រុមហ៊ុន Haining ត្រូវបន្តម្តងទៀត Lutheran World Federation បានប៉ាន់ស្មានថា ភូមិចំនួន ២៦ នៅក្នុងឃុំ ៤ និងត្រូវប៉ះពាល់ដែលប្រជាជនប៉ាន់ស្មានសរុបចំនួន ៨៥២៩នាក់ (១.៧២៧គ្រួសារ)។ លើសពីនេះទៅទៀតដីដែលអាចដាំដុះបានចំនួន១៥៥១ហិកតា នឹងត្រូវបាត់បង់រួមទាំងផ្ទៃដីព្រៃដីធ្លីលើយដែល នៅពេលបច្ចុប្បន្ននេះសហគមន៍កំពុងពឹងអាស្រ័យលើ។ គ្មានការពិគ្រោះយោបល់រវាងក្រុមហ៊ុន និងប្រជាជន មូលដ្ឋានពាក់ព័ន្ធនឹងបញ្ហាថាតើពួកគេចង់អោយមានសម្បទានដែរឬក៏អត់។ ក្រុមហ៊ុន Haining មានសកម្មភាព ក្នុងរយៈពេលខ្លី មានតែ៤គ្រួសារ (៥%) ប៉ុណ្ណោះដែលបានធ្វើបទសំភាសន៍រាយការណ៍ថា សមាជិកគ្រួសាររបស់គេ បានទទួលការងារជាមួយក្រុមហ៊ុននេះ។ ត្រង់នេះហាក់ដូចជាស្តែងអោយឃើញថាមុនពេលចាប់ផ្តើមសកម្មភាព របស់ខ្លួន។ ក្រុមហ៊ុន Haining បានសន្យាផ្តល់ការងារជូនប្រជាជនមូលដ្ឋានប៉ុន្តែបានទទួលយកអ្នកក្រៅមកធ្វើការ ទៅវិញ។ នៅពេលនេះក្រុមហ៊ុនកំពុងដាំក្នុងនៅលើផ្ទៃដី៦ហិកតា ដែលជាធាតុដុតប្រសិនបើមិនទាន់កែឆ្នែង។ អ្នកភូមិម្នាក់បានប្រាប់អោយដឹងថានៅឆ្នាំ២០០១ គោចំនួន ៦ក្បាល មកពីភូមិ **អូរផ្តៅ** បានងាប់ដោយសារវាស៊ីក្នុង ដែលក្រុមហ៊ុនបានដាំ។

៧០% នៃគ្រួសារដែលបានធ្វើបទសំភាសន៍និយាយថាពួកគេមិនសប្បាយចិត្តនឹងការមកដល់របស់ក្រុមហ៊ុន ឡើយ ព្រោះពួកគេត្រូវបាត់បង់ដីស្រែ ក្រុមហ៊ុនបានបំផ្លាញព្រៃឈើ សត្វព្រៃបានបាត់បង់ ហើយនៅក្នុងករណីខ្លះ សន្តិសុខរបស់ក្រុមហ៊ុនបានគំរាមកំហែងពួកគេទៀតផង។ ការបាត់បង់លទ្ធភាពក្នុងការប្រមូលអនុផលព្រៃឈើ

ជាពិសេសការរកឈើដើម្បីយកមកដុតធុងនឹងធ្វើអោយប៉ះពាល់ធ្ងន់ធ្ងរដល់ជីវភាពរស់នៅរបស់សហគមន៍ ។ ដោយសារក្រុមហ៊ុននៅបន្តវត្តមាននៅក្នុងតំបន់នោះ បានកើតឡើងនូវអសន្តិសុខកម្មសិទ្ធិដីធ្លីយ៉ាងខ្លាំងព្រមទាំងបរិយាសកាសរួមដែលមានការបំភិតបំភ័យ ។ នៅពេលដែលសកម្មភាពចិញ្ចឹមជីវិតបច្ចុប្បន្នរបស់ប្រជាជនមិនត្រូវបានគ្រប់គ្រងអោយបានល្អ និងបរិស្ថានកំពុងតែធ្លាក់ចុះនោះ ជាពិសេសពាក់ព័ន្ធនឹងការដុតធុងនៅក្នុងភូមិមួយចំនួនដែលយើងបានទៅដល់ អ្នកភូមិមានបំណងយ៉ាងច្បាស់លាស់ដើម្បីដោះស្រាយបញ្ហានេះតាមរយៈការបង្កើតគំរោងសហគមន៍ព្រៃឈើ (មិនទាន់ត្រូវបានអនុញ្ញាតនៅឡើយទេ ដោយក្រុមហ៊ុន Haining នៅបន្តទាមទារនៅតំបន់នោះ) ។ សម្បទានក៏បានធ្វើអោយប៉ះពាល់ដល់ការងារអភិវឌ្ឍន៍របស់អង្គការ Lutheran World Federation ទេ ។

● ក្រុមហ៊ុន Pheapimex នៅខេត្ត ពោធិ៍សាត់ និង ខេត្តកំពង់ឆ្នាំង

សម្បទានរបស់ក្រុមហ៊ុន Pheapimex ចំនួន៣១៥.០២៨ហិកតា នៅក្នុងខេត្តពោធិ៍សាត់ និងខេត្តកំពង់ឆ្នាំងដែលមានទំហំធំលើសលើ ដូចជាតាមស្តង់ដារអន្តរជាតិត្រូវបានផ្តល់ជូននៅឆ្នាំ២០០០ ដោយគ្មានការពិគ្រោះយោបល់ជាមួយសហគមន៍មូលដ្ឋាន និងមិនបានបញ្ចប់ EIA ឬ SIA ។ គេបានប៉ាន់ស្មានថាមានប្រជាជនជាង ១០០.០០០ នាក់ នៅក្នុងតំបន់សម្បទាន។ ជារួមល្បាយព្រៃវិវេស ព្រៃស្រស់ឈើ និងដីដែលមានព្រៃល្អៗស្រស់ និងដឹកសិកម្មបានចាត់ថ្នាក់ជាប្រភេទដីសំរាប់សម្បទានរបស់ក្រុមហ៊ុន Pheapimex ។ សម្បទាននេះមានទីតាំងស្ថិតនៅក្បែរតំបន់ការពារពិរតិៈ តំបន់ប្រើប្រាស់ច្រើនយ៉ាងបឹងទន្លេសាបនៅផ្នែកខាងកើត និងដែនជំរកសត្វព្រៃឱវ៉ាល់នៅភាគខាងលិច ។ តាមរបាយការណ៍ដំបូងបានអោយដឹងថានឹងមានការសាងសង់រោងចក្រក្រដាសដែលមានការពាក់ព័ន្ធយ៉ាងខ្លាំងជាមួយនឹងការបំពុលធនធានទឹក ដោយសារធាតុគីមី និងបំណែកឈើដែលជាហេតុបណ្តាលអោយមានកង្វល់ចំពោះទីតាំងដែលនៅក្បែរបឹងទន្លេសាប ។

គោលបំណងដំបូងរបស់ក្រុមហ៊ុន Pheapimex ដើម្បីអភិវឌ្ឍន៍សម្បទានរបស់ខ្លួននៅឆ្នាំ២០០០ ត្រូវបានបន្តបង្ហាញទៅវិញ ដោយការប្រឆាំងពីប្រជាជនមូលដ្ឋាន ដែលក្រោយមកត្រូវបានគាំទ្រដោយអង្គការម្ចាស់ជំនួយ និង NGOs ។ នៅក្នុងខែវិច្ឆិកា ឆ្នាំ២០០៤ ក្រុមហ៊ុន Pheapimex បានផ្តួចផ្តើមសកម្មភាពរបស់ខ្លួនសារជាថ្មីដែលបណ្តាលអោយមានការប្រឆាំងតវ៉ាម្តងទៀតពីសំណាក់អ្នកភូមិ ហើយបានក្លាយជាសោកនាដកម្មមួយ ដោយការបោកគ្រាប់បែកមកលើអ្នកតវ៉ាដែលកំពុងដេកលក់នៅយប់ថ្ងៃទី១៣ ខែវិច្ឆិកា ឆ្នាំ២០០៤ ដែលបានធ្វើអោយរបួសមនុស្ស៨នាក់ ក្នុងនោះមាន៣នាក់ធ្ងន់ធ្ងរ ក៏ប៉ុន្តែជនប្រព្រឹត្តឧក្រិដ្ឋកម្មមិនទាន់ត្រូវបានចាប់ខ្លួននៅឡើយទេ ។ ក្រោយពីព្រឹត្តិការណ៍បោកគ្រាប់បែកនៅថ្ងៃទី១៧ ខែវិច្ឆិកា ឆ្នាំ២០០៤ មន្ត្រីជាន់ខ្ពស់រដ្ឋាភិបាលបានបញ្ជាក់អោយក្រុមហ៊ុនបញ្ឈប់សកម្មភាពរបស់ខ្លួនរហូតដល់មានការសិក្សាអំពីផលប៉ះពាល់លើអ្នកភូមិ និងការធ្វើកសិកម្មរបស់ពួកគេសិន ។ ទោះបីជាមានបទបញ្ជានេះក៏ដោយ ក៏ក្រុមហ៊ុនបានបន្តឈូសឆាយដីព្រៃ ។ ចុងបញ្ចប់ការបន្តប្រឆាំងពីសហគមន៍មូលដ្ឋានបានធ្វើអោយក្រុមហ៊ុន Pheapimex ត្រូវបានបញ្ឈប់សកម្មភាពរបស់ខ្លួននៅខែមករា ឆ្នាំ២០០៥

បើទោះបីជាការគាំទ្រថ្នាក់ខ្ពស់របស់រដ្ឋាភិបាលមានន័យថា ប្រតិបត្តិការនេះទំនងជានឹងចាប់ផ្តើមម្តងទៀតនៅពេលអនាគតក៏ដោយ ។

សហគមន៍ដែលយើងបានទៅដល់ក្នុងកំឡុងពេលស្រាវជ្រាវនៅមូលដ្ឋាន នៅក្នុងតំបន់សម្បទានភាគច្រើនប្រកបរបរចិញ្ចឹមជីវិតរបស់គេដោយការធ្វើស្រូវវស្សា (៨៧%) ដោយមានប្រភពចំណូលបន្ថែម ជាពិសេសមកពីការប្រមូលអនុផលព្រៃឈើ និងសកម្មភាពនេសាទ ។ ៦០% ប្រជាជនដែលត្រូវបានធ្វើបទសំភាសន៍យល់ថាចំការបាន ឬនឹងប៉ះពាល់ដល់សកម្មភាពធ្វើសកម្មរបស់ពួកគេ ជាពិសេសដោយសារការបាត់បង់ដីធ្លី (៥៧%) ប្រសិនបើដីស្រែរបស់គេមិនត្រូវបានកាត់ចេញពីព្រំប្រទល់សម្បទានទេនោះ ។ ចាប់តាំងពីក្រុមហ៊ុនមកដល់មានការធ្លាក់ចុះនូវចំនួនអ្នកភូមិដែលប្រមូលអនុផលព្រៃឈើដោយសារហេតុផលពីរ៖ ឆ្នាំការពារមិនអោយចូលទៅតំបន់ព្រៃដែលមានអនុផលព្រៃឈើ និងការធ្លាក់ចុះជារួមនៃភាពសំបូរបែបរបស់អនុផលព្រៃឈើនៅក្នុងតំបន់នោះតែម្តង ។ អ្នកភូមិអាចរកចំណូលបានគួរសមដោយពឹងផ្អែកលើភាពសំបូរបែបនៃអនុផលព្រៃឈើតាមរដូវកាល ។ ហេតុផលប្រហាក់ប្រហែលគ្នានេះដែរចំពោះអនុផលព្រៃឈើអ្នកភូមិបានលើកឡើងថាមានការធ្លាក់ចុះជារួមនូវធនធានព្រៃឈើ ។

ទន្ទឹមនឹងនេះក៏មានរបាយការណ៍អំពីការធ្លាក់ចុះនូវបរិមាណត្រីព្រមគ្នា និងការធ្លាក់ចុះនូវចំនួនអ្នកនេសាទ ។ នេះអាចសន្មត់បានថាមកពីសកម្មភាពនេសាទខុសច្បាប់ បើទោះបីជាអ្នកភូមិ ១៤% ដែលត្រូវបានសំភាសន៍បានលើកឡើងថាពួកគេមិនអាចចាប់ត្រីបានឡើយ ដោយសារក្រុមហ៊ុនបានចាក់បំពេញនូវបឹងបូរដែលជាកន្លែងត្រីរស់នៅអស់ទៅហើយ ។ ការបំផ្លាញដល់ធនធានទឹកនេះក៏បានធ្វើអោយប៉ះពាល់ដល់ទឹកសំរាប់គោក្របីផងដែរ ។ អ្នកផ្តល់បទសំភាសន៍ ៣នាក់ នៅឃុំអន្សាចំបក់ និង៣នាក់ នៅឃុំអញ្ជាញរូងនិយាយថាសកម្មភាពរបស់ក្រុមហ៊ុនបានផ្លាស់ពណ៌ទឹកពីខៀវទៅជាខ្មៅ ។

ការតាំងទីលំនៅដ្ឋានថ្មី និងការបាត់បង់ទ្រព្យសម្បត្តិ (ជាពិសេសដីស្រែ) គឺជាក្តីកង្វល់ដ៏ធំបង្អស់របស់អ្នកភូមិជាច្រើន ដែលបានធ្វើបទសំភាសន៍ ។ កំរិតចុងក្រោយនៃការតាំងទីលំនៅថ្មី និងការបាត់បង់ទ្រព្យសម្បត្តិរបស់អ្នកភូមិ គឺអាស្រ័យទៅលើការកំណត់ព្រំប្រទល់សម្បទានចុងក្រោយរដ្ឋាភិបាលបានសំរេចលែងលក់ដីខ្លះនៅ ក្នុងតំបន់សម្បទានសំរាប់អ្នកភូមិ ប៉ុន្តែមិនទាន់ដឹងពីកំរិតប៉ុណ្ណានៅឡើយ ។

មានគ្រួសារតែមួយប៉ុណ្ណោះក្នុងចំណោមគ្រួសារចំនួន ៧៧ ដែលបានធ្វើបទសំភាសន៍និយាយថាសមាជិកគ្រួសាររបស់គេម្នាក់បានទទួលការងារធ្វើនៅក្នុងចំការ ។ កម្មករភាគច្រើននៅក្នុងតំបន់សម្បទានត្រូវបានជួលមកខាងក្រៅ ហើយគេបានលើកឡើងថាលក្ខខណ្ឌការងារតឹងរ៉ឹងយ៉ាងខ្លាំងរួមទាំងការងារច្រើនម៉ោង តំលៃអាហារខ្ពស់ និងជាធម្មតាត្រូវបានកាត់ដីគ្រួសារចាំប្រើ ។

ជាទូទៅអ្នកដែលបានសំភាសន៍ចំនួន៨៨% និយាយថាពួកគេមិនសប្បាយរីករាយនឹងការធ្វើចំការនៅទីនេះហើយក្រៅពីនោះមិនមានយោបល់អ្វីឡើយ ។ គ្មានអ្នកភូមិណាម្នាក់ដែលបានសំភាសន៍សប្បាយចិត្តនឹងការមកដល់របស់ក្រុមហ៊ុនឡើយ ។ ការបាត់បង់ព្រៃឈើ និងផលប៉ះពាល់មកលើជីវភាពរបស់ពួកគេស្ទើរតែជាហេតុផល ដ៏

សំខាន់បំផុតនៃការប្តឹងតវ៉ាចំពោះក្រុមហ៊ុន ។ អ្នកភូមិជាច្រើនដែលបានសំភាសន៍និយាយថា ពួកគេចង់អោយ ក្រុមហ៊ុនឈប់បំផ្លាញព្រៃឈើ និងផ្តល់ដីកសិកម្មអោយពួកគេវិញ ។

● **ក្រុមហ៊ុន Wuzhishan L.S Group នៅខេត្តមណ្ឌលគិរី**

ក្រុមហ៊ុន Wuzhishan ទើបតែត្រូវបានបង្កើតឡើងថ្មីនេះកាលពីខែឧសភា ឆ្នាំ២០០៤ ហើយនៅ ខែកក្កដា ឆ្នាំ២០០៤ បានទទួលការអនុញ្ញាតជាគោលការណ៍ធ្វើការដាំដើមស្រស់លើផ្ទៃដីចំនួន ១៩៩.៩៩៩ហិកតា នៅក្នុងស្រុកសែនមនោរម្យ និងសុកអូរវាំង នៅខេត្តមណ្ឌលគិរី ដោយមានការអនុញ្ញាតភ្លាមៗលើផ្ទៃដីចំនួន ១០.០០០ហិកតា សំរាប់សាកល្បង និងដាំដុះសំរាប់ពាណិជ្ជកម្ម ។ នៅខែមិនា ឆ្នាំ២០០៥ នាយករដ្ឋមន្ត្រីបានសំរេច ជាគោលការណ៍សំរាប់តំបន់ដាំឈើគឺកើនដល់៤០០០ហិកតា ដោយត្រូវមានការសំរេចពីក្រសួងកសិកម្មទន្ទឹមនឹងនេះ ក៏មានផែនការសាងសង់រោងចក្រមួយនៅខេត្តមណ្ឌលគិរីដើម្បីកែប្រែដើមស្រស់ទៅជាជ័រ និងឈើសំរាប់ប្រើប្រាស់ នៅក្នុងប្រទេសកម្ពុជា និងសំរាប់នាំចេញទៅក្រៅប្រទេស ។^៤ ហើយដែនសម្បទានផ្នែកខ្លះក៏ត្រូវបានស៊ីជម្រៅមួយនឹង តំបន់ការពារជីវចម្រុះ ។

តំបន់នេះគឺជាកន្លែងដែលមានសហគមន៍ជនជាតិភូមិសំរាប់ជាច្រើនព្រមទាំងសហគមន៍ខ្មែរផងដែរ ហើយ ទីនេះត្រូវបានចាត់ជាប្រភេទភ្នំមានស្មៅដុះយ៉ាងស្រទន់លាយឡំជាមួយព្រៃស្ងួត និងរិចរិលនៅតាមជ្រលងភ្នំ ។ ជន ជាតិភូមិគឺអ្នកសត្វនិយម (ជំនឿថាសត្វសត្វក្នុងភូមិមានព្រលឹង) ហេតុនេះហើយទើបជំនឿរបស់គេគឺនៅ ជាប់នឹងទិដ្ឋភាពសណ្ឋានដីដែលមានដីកប់សព និងព្រៃអារក្សផ្តល់សារៈសំខាន់យ៉ាង ជាពិសេសដល់ពួកគេ ។ មាត្រា ២៣-២៨ នៃច្បាប់ភូមិបាលចែងនូវបទប្បញ្ញត្តិ ពិសេសសំរាប់ជនជាតិដើមភាគតិចរួមទាំងការទទួលស្គាល់តាមផ្លូវ ច្បាប់ទៅលើទស្សនទានទ្រព្យសម្បត្តិសហគមន៍ជនជាតិដើម ។

ក្នុងការធ្វើផែនការសម្បទានគ្មានការពិគ្រោះយោបល់ជាមួយសហគមន៍មូលដ្ឋានឡើយ និងមានការប្រា ស្រ័យទាក់ទងយ៉ាងតឹងតែងជាមួយអាជ្ញាធរមូលដ្ឋាន ។ គ្មានការបញ្ចប់ហេតុផលប៉ះពាល់បរិស្ថាន (EIA) និងហេតុ ផលប៉ះពាល់សង្គម (SIA) ហើយក៏គ្មានផែនការផ្សព្វផ្សាយសាធារណៈដែលចង្អុលបង្ហាញអំពីទំហំនៃសម្បទាន ដែលបានផ្តល់ជូន ។ នៅខែកញ្ញា ឆ្នាំ២០០៤ Wuzhishan បានចាប់ផ្តើមប្រតិបត្តិការរបស់ខ្លួនយ៉ាងស្នាហាប់ ដោយ ប្រើប្រាស់ថ្នាំសំលាប់ស្មៅ (glyphosate) ទៅតាមទិវាលស្មៅនៅក្នុងតំបន់សម្បទានរួចដុតចោលស្មៅដែលងាប់ ហើយ ចាប់ផ្តើមដាំកូនស្រស់ចំនួន២៥.០០០ដើម ។ ក្នុងការរៀបចំដីសំរាប់សម្បទាន Wuzhishan បានឈូសឆាយដីដោយ មិនរើសមុខពោលគឺមិនត្រឹមតែវាលស្មៅដែលជនជាតិភូមិនៅមូលដ្ឋានប្រើប្រាស់សំរាប់ចិញ្ចឹមសត្វពាហនៈប៉ុណ្ណោះទេ ប៉ុន្តែថែមទាំងព្រៃព្រលឹង និងផ្លូវដូនតាដែលជាធាតុមួយយ៉ាងសំខាន់នៃវប្បធម៌របស់ជនជាតិភូមិ ។ ការប្រើប្រាស់ថ្នាំ សំលាប់ស្មៅត្រូវបានសហគមន៍ចោទប្រកាន់ជាទូទៅថាបានធ្វើអោយបំពុលទឹក ប៉ះពាល់សុខភាពមនុស្ស និងបាន

⁴ Special Representative of Secretary-General for Human Rights in Cambodia 'Wuzhishan L.S Group: A pine Plantation in Mondulkiri Province' Cambodia Office of the High Commissioner for Human Rights, June 2005.

ទទួលខុសត្រូវចំពោះការងាប់គោ១០ក្បាល បើទោះបីជាអាជ្ញាធរបានអះអាងថាថ្នាំសំលាប់ស្មៅនេះមានសុវត្ថិភាព ក៏ដោយ ។

សម្បទាននេះនឹងប៉ះពាល់ដល់៧ឃុំ ក្នុងស្រុក៣ ដែលគេមិនបានដឹងពីព្រំប្រទល់សម្បទានជាក់លាក់ឡើយ រួមទាំងទំហំដែលនឹងត្រូវលៃទុកសំរាប់អ្នកភូមិ ។ កងរដ្ឋបាលក្រុងសំលាប់នៅក្នុងផែនការប្រកាសប្រជាសំរាប់សម្បទាន បាននាំអោយជនជាតិភ្នំចំនួន ៤០០នាក់ សរសេរញាតិទៅលោកអភិបាលស្រុកអូរ៉ាង នៅក្នុងខែកញ្ញា ឆ្នាំ២០០៤ ។ ការប្រឆាំងទ្រង់ទ្រាយធំបានផ្ទុះឡើងនៅថ្ងៃទី១៦ ខែមិថុនា ឆ្នាំ២០០៥ នៅពេលដែលភាគច្រើនជាជនជាតិភ្នំ ដែលរងការប៉ះពាល់ដោយចំការចំនួនពី ៦៥០-៨០០នាក់ បានមកតវ៉ានៅមុខអាគារក្រុមហ៊ុននៅទីរួមស្រុកសែន មនោរម្យដែលនាំអោយសម្តេច **ហ៊ុន សែន** ក្រោយពីប្រជុំគណៈរដ្ឋមន្ត្រីបានចេញសេចក្តីប្រកាសមួយនៅថ្ងៃទី១៧ ខែមិថុនា ឆ្នាំ២០០៥ បញ្ជាអោយក្រុមហ៊ុន Wuzhishan ផ្អាកសកម្មភាពរបស់ខ្លួនជាបន្ទាន់នៅក្នុងតំបន់ សម្បទាន ដែលរំលោភលើដីជនជាតិភ្នំ ។ គណៈកម្មាធិការអន្តរក្រសួងមួយត្រូវបានបង្កើតឡើងដើម្បីដោះស្រាយ បញ្ហានេះ ។ ទោះជាដូច្នោះក៏ដោយនៅចុងខែមិថុនាសហគមន៍ទាំងឡាយបានតវ៉ាអំពីដំណើរការទៅមុខយ៉ាងច្បាស់ -លាស់ដោយ បានបិទផ្លូវនៅក្នុងសម្បទានដែលប៉ះពាល់ដល់ឃុំដែលក្រោយមកត្រូវបានរាយការណ៍ថាបានរងនូវការ គំរាមកំហែង និងបច្ចេកទេសបំភិតបំភ័យជាច្រើន ។ ការបិទផ្លូវនេះបានប្រព្រឹត្តទៅអស់រយៈពេលប្រហែលមួយ សប្តាហ៍មុនពេល ដែលក្រុមហ៊ុនបានទំលាយដោយប្រើវិធីយន្តផ្ទុកពេញទៅដោយកម្មករកាន់ចប កាំបិត និងដំបង ។

ក្នុងដំណើររង់ចាំការយាងមកដល់របស់ព្រះមហាក្សត្រ **នរោត្តម សីហមុនី** ដើម្បីប្រារព្ធកិច្ចាទិវាជាតិនៅថ្ងៃ ទី០៩ ខែកក្កដា ឆ្នាំ២០០៥ នៅខេត្តមណ្ឌលគិរីបានធ្វើអោយអ្នកភូមិប្រមាណ ២០០នាក់ ដើរសរសៀវតាមកន្លែង បិទផ្លូវរបស់បូលីស ហើយចូលទៅទីរួមស្រុកសែនមនោរម្យ ។ អ្នកភូមិបានមកផ្តុំគ្នានៅក្បែរសាលាខេត្ត ដោយ សង្ឃឹមថានឹងបានចូលគាល់ព្រះមហាក្សត្រ ។ បន្ទាប់មកនៅថ្ងៃដដែលនោះអ្នកភូមិបានជួបជាមួយ ឯ.ឧ. **នុត សាវាន** រដ្ឋលេខាធិការក្រសួងមហាផ្ទៃ ហើយបានយល់ព្រមចាកចេញពីទីរួមស្រុកសែនមនោរម្យ ជាផ្លូវនឹងការធានាថា គណៈកម្មាធិការខេត្តមួយនឹងត្រូវបង្កើតដើម្បីស្រាវជ្រាវនៅមូលដ្ឋាន ហើយនឹងរាយការណ៍ជូនគណៈកម្មាធិការអន្តរ ក្រសួងដើម្បីដោះស្រាយជំនោះ ។ ទន្ទឹមនឹងនោះក៏មានការឯកភាពថាក្រុមហ៊ុន Wuzhishan គួរបញ្ឈប់ការដាំដើម លើភ្នំមួយនៅក្នុងឃុំទាំងពីរ ។ លើសពីនេះទៅទៀតគណៈកម្មាធិការខេត្តត្រូវទទួលភារកិច្ចស៊ើបអង្កេតការរំលោភ ដីដែលកើតមានដោយក្រុមហ៊ុន Wuzhishan ទៅលើដីដែលមិនត្រូវបានបែងចែកទៅក្រុមហ៊ុន Marubeni Development Corporation ជាក្រុមហ៊ុនជប៉ុនដែលគ្រោងនឹងដាំកៅស៊ូ ។

នៅថ្ងៃទី១១ ខែកក្កដា ឆ្នាំ២០០៥ គណៈកម្មាធិការថ្នាក់ខេត្តបានចាប់ផ្តើមសកម្មភាពរបស់ខ្លួន ដោយបាន ធ្វើការស្រាវជ្រាវនៅទីតាំងអស់រយៈពេល២ថ្ងៃ ។ នៅថ្ងៃទី២៦ ខែកក្កដា ឆ្នាំ២០០៥ គណៈកម្មាធិការអន្តរក្រសួង នៅក្នុងរបាយការណ៍របស់គណៈកម្មាធិការថ្នាក់ខេត្តបានរកឃើញថាជាសរុបក្រុមហ៊ុន Wuzhishan បានដាំដើម ស្រល់លើផ្ទៃដីចំនួន ៨.៩៣៨ហិកតា បានត្រៀមដីចំនួន ៤.២៨៤ហិកតាទៀត និងបានដាំដោយអន្លើលើផ្ទៃដីចំនួន ៣.២៩៥ហិកតា ហេតុនេះរហូតមកដល់បច្ចុប្បន្នសរុបផ្ទៃដីចំនួន ១៦.៥១៧ហិកតា ។ នៅលើផ្ទៃដី ៤.៥០៨ហិកតា

របស់ក្រុមហ៊ុន Marubeni ត្រូវបានដាំដើមស្រល់ដោយក្រុមហ៊ុន Wuzhishan ២.១១១ហិកតា ត្រូវបានដាំដោយអន្លើ និង១.១៦២ហិកតាបានរៀបចំដី ដូចនេះសរុបទាំងអស់ ៧៧៨០ហិកតា។ ហេតុនេះគណៈកម្មាធិការអន្តរក្រសួងបានសំរេចថាក្រុមហ៊ុន Wuzhishan គួរដកចេញពីដីរបស់ក្រុមហ៊ុន Marubeni ។ ពាក់ព័ន្ធនឹងការរំលោភយកដីអ្នកភូមិគណៈកម្មាធិការអន្តរក្រសួងលើកឡើងថាមានការលំបាកក្នុងការចរចា ហើយថានៅពេលនេះទើបតែមានការឯកភាពថាក្រុមហ៊ុនត្រូវតែរុំអោយធ្វើរបងព័ទ្ធជុំវិញសម្បទានរបស់ខ្លួនដើម្បីចៀសវាងការរំលោភយកដី។

Wuzhishan បានចាប់ផ្តើមដាំឈើជាថ្មីម្តងទៀតនៅថ្ងៃទី១៨ ខែសីហា ដោយគ្មានដំណោះស្រាយណាមួយដែលបានចរចាជាមួយសហគមន៍។ នៅពេលសរសេររបាយការណ៍នេះព័ត៌មានចុងក្រោយបានអោយដឹងថា បើទោះបីជាមានសំណើពីឃុំដាក់ដាំ និងសេនមនោរម្យដែលស្នើសុំ១០គម. និងការកាប់ឆ្ការ ៣គម. នៅជុំវិញភូមិរបស់ពួកគេក៏ដោយ ក៏គេនឹងទទួលបានតែ ៥០០ម. ប៉ុណ្ណោះសំរាប់ការកាប់ឆ្ការនេះ។ ច្បាប់ភូមិបាល ឆ្នាំ២០០១ចែងថាៈ ផ្ទៃដីធំធេងនៅក្នុងដែនសម្បទានអាចអនុញ្ញាតផ្តល់សំរាប់សិទ្ធិសមូលហភាពជនជាតិដើមភាគតិច ប៉ុន្តែជាក់ស្តែងមិនទាន់ត្រូវបានរៀបចំដោយរដ្ឋាភិបាល ឬក្រុមហ៊ុនឡើយ។

ស្ទើរតែគ្រប់គ្រួសារទាំងអស់ដែលបានសំភាសន៍ (៩៨%) ប្រកបរបរកសិកម្ម និងចិញ្ចឹមសត្វជាសំខាន់។ ៦៥% បាននិយាយថាសកម្មភាពរបស់ក្រុមហ៊ុនបានធ្វើអោយប៉ះពាល់ដល់សកម្មភាពកសិកម្មទាំងនេះ ពិសេសគឺបណ្តាលមកពីការបាត់បង់ដីកសិកម្ម និងប៉ះពាល់ពីបាញ់ថ្នាំសំលាប់ស្មៅ glyphosate ។ នៅក្នុងការប្រជុំក្រុមតូចមួយនៅក្នុងឃុំសេនមនោរម្យ គេបានលើកឡើងថានៅពេលនេះស្ត្រីអ្នកភូមិជាច្រើនមិនចេញទៅស្រែទេ ដោយខ្លាចកម្មករក្រុមហ៊ុនចាប់រំលោភ។

ការនេសាទ និងការប្រមូល NTFP គឺជាសកម្មភាពសំខាន់ទីពីរ។ មិនមានការធ្លាក់ចុះច្រើននូវចំនួនអ្នកដែលធ្វើនេសាទឡើយ (៧១%) បើទោះបីជាធនធានត្រីបានធ្លាក់ចុះដែលបណ្តាលមកពីមូលហេតុសំខាន់គឺសកម្មភាពនេសាទខុសច្បាប់ និងភាពរាំងស្ងួតដែលបានកើតឡើងនៅឆ្នាំនេះ។ ក្រៅពីនេះក៏មិនមានការធ្លាក់ចុះនូវចំនួនអ្នកដែលប្រមូលអនុផលព្រៃឈើឡើយ (៨១%)។ ប៉ុន្តែអ្នកផ្តល់បទសំភាសន៍បានរាយការណ៍ពីការធ្លាក់ចុះយ៉ាងច្រើននូវបរិមាណឈើដែលត្រូវបានទំលាក់កំហុសជាសំខាន់ទៅលើក្រុមហ៊ុន Wuzhishan ដែលបានឈូសឆាយព្រៃឈើ។ គេក៏បានកត់សំគាល់ផងដែរថា មានការធ្លាក់ចុះនូវចំនួនសត្វព្រៃដែលបណ្តាលមកពីសកម្មភាពប្រមាញ់របស់មនុស្សជាច្រើនប្រភេទព្រមទាំងការបាត់បង់ជីវកដោយសារសកម្មភាពរបស់ក្រុមហ៊ុន Wuzhishan ។

នៅក្នុងពេលសរសេរនេះគេមិនបានដឹងពីកិរិយាពិតប្រាកដនៃការបាត់បង់ទ្រព្យសម្បត្តិរបស់អ្នកភូមិព្រោះព្រំប្រទល់ចំការពិតប្រាកដដែលស្ថិតនៅក្បែរភូមិកំពុងស្ថិតក្នុងភាពចរចានៅឡើយ។ ទោះបីជាដូច្នោះក៏ដោយអ្នកផ្តល់បទសំភាសន៍ចំនួន ៥៧% នឹងបាត់បង់ដីធ្វើស្រែរបស់គេមួយចំនួន។ លើសពីនេះទៅទៀតវាច្បាស់ណាស់ថាវាលស្មៅនៅឆ្ងាយពីភូមិដែលបច្ចុប្បន្ននេះប្រើប្រាស់ដោយអ្នកភូមិសំរាប់ចិញ្ចឹមសត្វពាហណៈកំពុងត្រូវបានបាត់បង់។ ព្រៃឈើធម្មជាតិ និងដើមឈើហូបផ្លែ (ដែលដុះនៅក្នុង ព្រៃ និងនៅលើវាលស្មៅ) កំពុងត្រូវបានកាប់រំលំដែលមាន

សារៈសំខាន់សំរាប់ការប្រមូល NTFP ។ លើសពីនេះទៅទៀត សត្វ ផ្លែឈើ និងកសិផលកំពុងត្រូវបានលួចដោយ កម្មករក្រុមហ៊ុន ។

ទីតាំងវប្បធម៌សំខាន់ៗដូចជាព្រៃព្រលឹង និងវាលកប់សពក៏ត្រូវបានបំផ្លាញដែរ ។ ការទទួលស្គាល់តាមផ្លូវ ច្បាប់ទៅលើកម្មសិទ្ធិដីមានភាពស្មុគស្មាញ ដោយប្រព័ន្ធកម្មសិទ្ធិសមូហភាពដែលត្រូវបានប្រើប្រាស់ដោយជនជាតិ ដើមភ្នំដែលមានចែងនៅក្នុងច្បាប់ភូមិបាល (ឆ្នាំ ២០០១) ប៉ុន្តែតម្រូវឱ្យមានអនុក្រឹត្យដោយឡែកមួយទៀត ដើម្បីមានប្រសិទ្ធភាព ។ មានបរិយាកាសភ័យខ្លាច និងអសន្តិសុខចំពោះកម្មសិទ្ធិដី ។

ជាសរុបគ្រួសារចំនួន ២១% ដែលបានសំភាសន៍ បាននិយាយថាពួកគេមានសមាជិកគ្រួសាររបស់គេធ្វើ ការនៅក្នុងចំការ ។ កម្មករម្នាក់ៗធ្វើការ ៨ម៉ោងក្នុងមួយថ្ងៃ និងបានទទួលប្រាក់ខែចន្លោះពី ៣០-៤២.៥ដុល្លា ដោយមានកម្មករមួយចំនួនទទួលបានអង្ករ ២៥គ.កក្នុងមួយខែផងដែរ ។ UNCOHCHR បានពណ៌នាពីស្ថានភាព ការងារនៅក្នុងចំការថាមានការលំបាក ។ អ្នកភូមិដែលបានសំភាសន៍បានបញ្ជាក់ថា : នៅពេលឈឺពួកគេមិនអាច ស្នើសុំសំរាកបានទេ ។ ពួកគេមិនបានទទួលប្រាក់ខែពេញលេញ ។ ពួកគេមានការព្រួយបារម្ភអំពីការរំលោភក្នុង ចំណោមកម្មករ ។ ពួកគេទទួលបានសំពោលអោយធ្វើការធ្ងន់ធ្ងរ ហើយកម្មករបានលួចច្រៀម ឆ្កែ និងគោ ក្របី ពីអ្នកភូមិ ដើម្បីយកទៅបរិភោគ ។ មានរបាយការណ៍ជាច្រើនក្នុងខែសីហាបង្ហាញថាមានកម្មករភាគច្រើនជាអ្នកចំណាក ស្រុក ។

សម្បទានរបស់ក្រុមហ៊ុន Wuzhishan បានផ្តល់នូវផលប៉ះពាល់អវិជ្ជមានយ៉ាងធ្ងន់ធ្ងរមកលើអ្នកស្រុក ជាពិសេសជីវភាពរបស់ជនជាតិដើមភ្នំដែលជំរុញអោយមានការតវ៉ាប្រឆាំង និងទាមទារអោយរដ្ឋបាលកណ្តាល មកធ្វើអន្តរាគមន៍នៅក្នុងការចរចាដោះស្រាយ ។ កង្វះខាតទាំងស្រុងនូវការពិគ្រោះយោបល់ ជាមួយប្រជាជន នៅមូលដ្ឋានក្នុងដំណាក់កាលដំបូងនៃការអភិវឌ្ឍ សម្បទានបាននាំអោយមានការមិនជឿទុកចិត្តយ៉ាងខ្លាំងចំពោះ ក្រុមហ៊ុន និងការយល់ឃើញជាទូទៅថា កង្វល់របស់ប្រជាជនមូលដ្ឋានមិនត្រូវបានដោះស្រាយអោយបានពេញ លេញ ។ ទន្ទឹមនឹងនេះមន្ទីរនៅថ្នាក់ខេត្ត និងអាជ្ញាធរមូលដ្ឋានមិនត្រូវបានពិគ្រោះយោបល់ ហើយដាក់នៅខាងក្រៅ ដំណើរការនៃការធ្វើសេចក្តីសំរេចចិត្ត ។ នៅពេលដែលសាកសួរថាតើអ្នកយល់ឃើញដូចម្តេចចំពោះក្រុមហ៊ុន ៨៨% នៃគ្រួសារដែលបានសំភាសន៍បាននិយាយថា ពួកគេមិនចូលចិត្តក្រុមហ៊ុន និង១១% បាននិយាយថាពួកគេចូលចិត្ត ក្រុមហ៊ុន ដោយសារថាពួកគេបានទទួលការងារធ្វើ ។ បើទោះបីជាអ្នកភូមិមួយចំនួនចង់អោយក្រុមហ៊ុនចាកចេញ ក៏ដោយក៏ភាគច្រើនមានបំណងចង់ចរចាអោយក្រុមហ៊ុននៅបន្ត ប្រសិនបើក្រុមហ៊ុនមិនរំលោភលើដីរបស់ពួកគេ ។ ប៉ុន្តែនៅពេលនេះគណៈកម្មាធិការអន្តរក្រសួងបានចាត់ទុកថា អ្នកភូមិបានទាមទារដីច្រើនពេក ហើយមិនទាន់រក ដំណោះស្រាយបាននៅឡើយ ។

- **ការប្រើប្រាស់ក្នុងស្រុកនូវដើមរោគាស្សា និង Melaleuca នៅខេត្តព្រៃវែង និង ស្វាយរៀង**

ខេត្តព្រៃវែង និងស្វាយរៀងដែលស្ថិតនៅប៉ែកបូព៌ានៃប្រទេសកម្ពុជា គឺជាតំបន់មានសារៈសំខាន់ក្នុងការផលិតស្រូវ បើទោះបីជាទូទៅដីមានគុណភាពមិនសូវល្អហើយតំបន់នេះតែងតែរងគ្រោះដោយសារទឹកជំនន់ និងគ្រោះរាំងស្ងួតក៏ដោយ ។ តំបន់នេះត្រូវបានចាត់ចូលក្នុងប្រភេទវាលទំនាបទឹកលិចសំរាប់ផលិតស្រូវវិស្សាដែលមានព្រៃ និងធនធានធម្មជាតិផ្សេងទៀតតិចតួចប៉ុណ្ណោះ ។ នៅក្នុងតំបន់ទាំងនេះអ្នកភូមិដាំដើមអាកាស្យា ប្រេងខ្យល់ និង ដើមស្លាច់ នៅលើដីវិវេស ដូចជាតាមភ្លឺស្រែ និងរបងជួររបស់គេ ។ អ្នកភូមិនិយាយថាពួកគេដាំដើមឈើទាំងនេះដោយហេតុថាគ្មានប្រភពឈើផ្សេងទៀតសំរាប់ដុតឬសំរាប់យកមកប្រើការធ្វើផ្សេងទៀតឡើយ ហើយគ្មានប្រភេទឈើណាផ្សេងដែលសក្តិសមសំរាប់តំបន់ដីវិវេសទាំងនេះផងដែរ ។

ជាសរុបយើងបានចុះទៅអង្កេតទៅលើគ្រួសារចំនួន១០ ។ ៩០% នៃគ្រួសារដែលបានធ្វើបទសំភាសន៍គឺជាគ្រួសារកសិករ ហើយគ្រួសារភាគច្រើនប្រកបរបរចិញ្ចឹមសត្វ និងសកម្មភាពរកចំណូលបន្ថែមផ្សេងទៀត (គោ ជ្រូក មាន់ ទា) ។

ជាទូទៅកសិករអាចរកចំណូលបានត្រឹមតែសំរាប់រស់ដោយមានស្រូវអង្ករសល់ខ្លះយកទៅលក់យកលុយ ។ ជារួម ៧៧% នៃចំនួនអ្នកផ្តល់សំភាសន៍ យ៉ាងហោចណាស់បានដាំដើមឈើលូតលាស់លឿនមួយប្រភេទនេះដែរ (អាកាស្យា ប្រេងខ្យល់ ឬ ដើមស្លាច់) ។ ចំពោះអ្នកភូមិទាំងអស់ដែលដាំឈើ៦៥% បានដាំឈើចន្លោះពី ១-៥ឆ្នាំ ។ ២០% បានដាំចន្លោះពី ៦-១០ឆ្នាំ និងអ្នកឯទៀតបានដាំឈើនេះជាង ១០ឆ្នាំមកហើយ ។ នៅពេលសួរថា តើមានការបង្រៀនអោយដាំដើមឈើបែបណាដែរឬអត់នោះ ៩៨% និយាយថា " ទេ " ។ បើតាមអ្នកផ្តល់បទសំភាសន៍ខ្លះបានអោយដឹងថា កូនឈើទាំងនោះយកមកពីប្រទេសវៀតណាម ។

នៅពេលសួរថាតើដើមឈើនោះប៉ះពាល់ដល់គុណភាពដីដែរឬអត់ នោះ ៤% និយាយថាវាមានប្រយោជន៍សំរាប់ដី ៥១% និយាយថាដើមឈើមិនល្អទេព្រោះធ្វើអោយប៉ះពាល់ដល់គុណភាពដី ១២% និយាយថាដើមឈើមិនប៉ះពាល់ដីទេ ហើយក្រៅពីនោះឆ្លើយថាមិនច្បាស់ ។ អ្នកភូមិមួយចំនួនបានកត់សំគាល់ថា នៅពេលគេដាំដើមឈើនៅក្បែរត្រពាំងពេលនោះត្រពាំងបែរជាគ្មានត្រី ។ អ្នកភូមិដែលមិនបានដាំដើមឈើត្រូវបានសួរថាតើពួកគាត់ចង់អោយអ្នកភូមិផ្សេងទៀតដាំដើមឈើឆាប់ធំដែរឬទេ ៣៨% និយាយថាគ្មានបញ្ហា ១៥% និយាយថាមានបញ្ហាហើយក្រៅពីនោះឆ្លើយថាមិនច្បាស់ ។ នៅពេលនេះចំពោះអ្នកដែលមិនបានដាំឈើ ៤៦% មានបំណងដាំឈើទៅអនាគត ៣៨% មិនចង់ ហើយអ្នកដែលនៅសល់ឆ្លើយថាមិនច្បាស់ ។ ប្រជាជនបាននិយាយថាពួកគេចង់ដាំដើមឈើព្រោះឈើនេះធំលឿនណាស់ ។ អ្នកខ្លះនិយាយថាមិនចង់ដាំទេព្រោះឈើនេះធ្វើអោយហិលដី ។

ស្ថានភាពនៅខេត្តព្រៃវែង និងស្វាយរៀងទោះក្នុងរូបភាពណាក៏ដោយមិនអាចប្រៀបបានដូចជាចំការឯកវប្បកម្មទ្រង់ទ្រាយធំបានឡើយ ។ បើទោះបីជាអ្នកភូមិជាច្រើនដែលបានសំភាសន៍បានដាំដើមឈើឆាប់ធំក៏ដោយ តែបើគិតទៅតាមសណ្ឋានដីវិញ ដើមឈើត្រូវបានដាំត្រង់នេះបន្តិចត្រង់នោះបន្តិច ហើយការប្រើប្រាស់ដីជាសំខាន់គឺការផលិតស្រូវ ។ ករណីសិក្សាបានបង្ហាញនូវស្ថានភាពមួយដែលក្នុងនោះការប្រើប្រាស់ដើមឈើឆាប់ធំត្រូវបានមើលឃើញថាជាប្រភពដ៏សំខាន់តាមលក្ខខណ្ឌនៃភាពកម្រ ។ ជាពិសេសដោយហេតុថាអ្នកភូមិត្រប់គ្រងដីពួកគេអាចសំរេចជ្រើសរើសយកប្រភេទឈើណាមួយមកដាំ ហើយត្រូវធ្វើយ៉ាងណាចំពោះដើមឈើនោះនៅពេលវាធំ ។

សង្ខេប និង សន្និដ្ឋាន

ការស្រាវជ្រាវដែលបានលើកឡើងនៅក្នុងរបាយការណ៍នេះ បានបង្ហាញនូវចំណងទាក់ទងដែលមិនអាចខ្វះបានរវាងសហគមន៍ជនបទកម្ពុជាដែលរងការប៉ះពាល់ដោយសារការអភិវឌ្ឍសម្បទានសេដ្ឋកិច្ចទៅលើដី និងធនធានធម្មជាតិដែលពួកគាត់ពឹងអាស្រ័យ ។ នៅបច្ចុប្បន្ននេះគ្មានចំណាត់ការណាមួយដែលយើងបានទៅដល់ មានដំណើរការត្រឹមត្រូវនោះទេ ប៉ុន្តែកំពុងស្ថិតនៅក្នុងដំណើរការរៀបចំជាដំបូង ។ អាចនិយាយបានថាការស្រាវជ្រាវនេះបានកត់ត្រាទុកនូវការផ្លាស់ទីកន្លែងបំបែករបស់ប្រជាជន និងជីវភាពរបស់ពួកគាត់ និងការកែប្រែបរិស្ថានដើមនៅជនបទទៅជាបរិស្ថានមួយនៃការធ្វើឯកវប្បកម្មដើមឈើដែលឆាប់ធំ ។

សេចក្តីសន្និដ្ឋានសំខាន់ៗរបស់របាយការណ៍មាន :

- នៅបច្ចុប្បន្ននេះមានផលប៉ះពាល់មកលើបរិស្ថានដែលមិនអាចចៀសបានដែលជាលទ្ធផលនៃការធ្វើចំការ :
 - ការបំផ្លាញនូវព្រៃឈើដ៏ធំធេងព្រមទាំងការធ្លាក់ចុះនូវជីវៈចម្រុះ ដែលអាចមានផលប៉ះពាល់មកលើមុខងារចរន្តទឹក និងស្ថេរភាពប្រព័ន្ធអេកូឡូស៊ី
 - ការធ្លាក់ចុះនូវបរិមាណសត្វព្រៃ
 - ផលប៉ះពាល់ជាអវិជ្ជមានមកលើធនធានទឹករួមមានការបំពុលដែលបានប្រែក្លាយពណ៌ទឹកនៅតាមដងអូរលទ្ធភាពដែលអាចបំពុល ដោយសារថ្នាំសំលាប់ស្មៅក្នុងករណីសម្បទានរបស់ក្រុមហ៊ុន Wuzhishan និងការចាក់បំពេញប៊ីងបូរក្នុងករណីសម្បទានរបស់ក្រុមហ៊ុន Pheapimex ។
- ទន្ទឹមនឹងនោះក៏នឹងអាចមានផលប៉ះពាល់លើបរិស្ថាននៅពេលអនាគត:
 - ការបន្តបាត់បង់ព្រៃឈើនៅពេលសម្បទានបានអភិវឌ្ឍន៍ពេញលេញ
 - ផលប៉ះពាល់មកលើសមភាពទឹក និងជលសាស្ត្រនៅមូលដ្ឋាននៅពេលដែលដាំដើមឈើលូតលាស់លឿន ចាក់ប្រសទៅក្នុងស្រទាប់ដីខាងក្រោម ហើយធ្វើអោយហូតចរន្តទឹក ដោយសារវាមានតំរូវការទឹកខ្ពស់ព្រមទាំងកែប្រែនូវស្ថានភាពជលសាស្ត្រនៅមូលដ្ឋាន ។
 - ពន្លឿនការវិវត្តជីវៈដ៏រុករាន និងផលប៉ះពាល់ជាអវិជ្ជមានពីការប្រើប្រាស់ថ្នាំសំលាប់សត្វចង្រៃជាប្រចាំ

- ការបំពុលបរិស្ថានដែលបណ្តាលមកពីការអភិវឌ្ឍរោងចក្រសាច់ឈើ និងក្រដាសនៅលើសម្បទានរបស់ក្រុមហ៊ុន Pheapimex និងរោងចក្រកែឆៃនៅលើសម្បទានរបស់ក្រុមហ៊ុន Wuzhishan ។
- ទន្ទឹមនឹងនេះក៏បានកំណត់ផលប៉ះពាល់សង្គមជាច្រើនមកលើសហគមន៍ពាក់ព័ន្ធ ៖
 - ការបាត់បង់លទ្ធភាពក្នុងការចូលទៅប្រមូលអនុផលព្រៃឈើ និងធ្វើអោយប៉ះពាល់យ៉ាងធ្ងន់ធ្ងរទៅលើជីវភាពប្រជាជននៅមូលដ្ឋាន។ មានចំណងទាក់ទងគ្នាយ៉ាងសំខាន់រវាងសហគមន៍ និងធនធានព្រៃឈើនៅមូលដ្ឋានដែលផ្តល់អនុផលព្រៃឈើ និងដែលត្រូវបានប្រមូលសំរាប់ការប្រើប្រាស់ក្នុងគ្រួសារ និងសំរាប់រកចំណូល។ អនុផលព្រៃឈើក៏បង្កើតនូវសំណាញ់សុវត្ថិភាពសង្គមផងដែរ នៅពេលដែលកសិករមានការធ្លាក់ចុះ។
 - ការបាត់បង់ដីកសិកម្មដោយមិនដឹងថាមានកំរិតប៉ុណ្ណា ដោយហេតុគ្មានផែនទីដែលកំណត់ព្រំប្រទល់សម្បទាននិងកំណត់តំបន់ដែលបែងចែកទុកសំរាប់សហគមន៍។ ទន្ទឹមនឹងនេះក៏គ្មានការបញ្ជាក់ច្បាស់លាស់ថា តើប្រជាពលរដ្ឋនឹងទទួលបានសំណងចំនួនប៉ុន្មាន (ប្រសិនបើមាន) ។
 - ការបាត់បង់លទ្ធភាពទទួលបានធនធានផ្សេងទៀត រួមមានធនធានទឹក វាលស្មៅចិញ្ចឹមសត្វពាហនៈ និងតំបន់នេសាទ។
 - ដោយករណីលើកលែងចំពោះសម្បទានរបស់ក្រុមហ៊ុន Wuzhishan នៅខេត្តមណ្ឌលគិរី ចំការមិនបានផ្តល់ការងារសំរាប់ប្រជាជននៅមូលដ្ឋានឡើយ ផ្ទុយទៅវិញផ្តល់ការងារទៅអោយអ្នកមកពីក្រៅខេត្តទៅវិញ។ លក្ខខណ្ឌការងារមានការលំបាកយ៉ាងខ្លាំង ជាពិសេសក្នុងករណីសម្បទានរបស់ក្រុមហ៊ុន GreenRich មានលក្ខខណ្ឌសែនវេទនា។ ភាពស្របច្បាប់នៃលក្ខខណ្ឌការងារនៅក្នុងតំបន់សម្បទានខ្លះ អាចចោទជាបញ្ហា។
 - នៅគ្រប់សម្បទានទាំងអស់លើកលែងតែសម្បទានរបស់ក្រុមហ៊ុន Green Rich ការចូលមកដល់របស់ក្រុមហ៊ុនបាននាំមកជាមួយនូវការគំរាមកំហែង និងការបំភិតបំភ័យចំពោះសហគមន៍មូលដ្ឋានដែលបានប្រឆាំងចំពោះការអភិវឌ្ឍ។
 - គ្មានទំនាក់ទំនងល្អរវាងក្រុមហ៊ុន និងសហគមន៍/អាជ្ញាធរមូលដ្ឋាន។ ធ្លាប់មាន និងឈានទៅគ្មានការពិគ្រោះយោបល់អ្វីសោះ។ សេចក្តីសំរេចជាច្រើនដែលពាក់ព័ន្ធនឹងសម្បទានត្រូវបានធ្វើឡើងដោយរដ្ឋបាលកណ្តាល ដោយមិនអោយអាជ្ញាធរមូលដ្ឋានមានអំណាចអ្វីសោះ។

● សម្បទានទាំង៤ដែលបានចុះទៅដល់កំពុងរំលោភទៅលើច្បាប់ភូមិបាល ឆ្នាំ ២០០១ ដែលចែងថា លើកលែងតែមានករណីពិសេស សម្បទានមិនត្រូវលើសពីទំហំ ១០.០០០ ហិកតាឡើយ ។ កង្វះខាត EIA and SIA នៅក្នុងសម្បទានភាគច្រើនគឺជាក្តីកង្វល់ដ៏ធ្ងន់ធ្ងរ ។ កង្វះខាតនៃ EIA and SIA របស់សម្បទានគឺជាក្តីកង្វល់ដ៏ធ្ងន់ធ្ងរ ដូចជាករណីក្រុមហ៊ុន Green Rich (តំបន់ការពារនៃឧទ្យានជាតិបូទុមសាគរ) និង Wuzhishan (Seima Biodiversity Conservation Area) ដែលធ្វើអោយប៉ះពាល់ដល់តំបន់ការពារទាំងនោះ ។ បើទោះបីជាពាក្យបណ្តឹងនៅពេលថ្មីៗនេះទៅតុលាការពីករណីក្រុមហ៊ុន Green Rich ដែលបានធ្វើឡើងដោយក្រសួងបរិស្ថានគឺជាជំហានវិជ្ជមានមួយក៏ដោយ ។

● ជារួមបទពិសោធន៍របស់សហគមន៍ក្នុងការអភិវឌ្ឍចំការធំៗ នៅកម្ពុជានៅពេលនេះមានលក្ខណៈជាអវិជ្ជមាន និងមានការពាក់ព័ន្ធភាគច្រើនបំផុតជាមួយការបាត់បង់សិទ្ធិ និងការបំផ្លាញធនធានធម្មជាតិ និងដីធ្លីដែលសហគមន៍ពឹងអាស្រ័យដោយមានផ្តល់ឱកាសតិចតួចក្នុងការរករបរចិញ្ចឹមជីវិតនៅទីកន្លែងនោះ ។

អនុសាសន៍

ផែនការរបស់រាជរដ្ឋាភិបាលកម្ពុជា និងកិច្ចខិតខំប្រឹងប្រែងជាច្រើនដែលគួរអោយកត់សំគាល់ដើម្បីអភិវឌ្ឍសេដ្ឋកិច្ច និងកាត់បន្ថយភាពក្រីក្រនៅប្រទេសកម្ពុជាគួរអោយកោតសរសើរយ៉ាងខ្លាំង ។ ប៉ុន្តែការអភិវឌ្ឍសេដ្ឋកិច្ចមានន័យបែបស្ថាបនាតែនៅពេលណាដែលផលប៉ះពាល់សង្គមជាទូទៅមានលក្ខណៈវិជ្ជមាននិងមិនធ្វើអោយប៉ះពាល់ដល់បរិស្ថាននៅកម្ពុជា និងធនធានធម្មជាតិដ៏មានតំលៃ និងសំបូរបែបរបស់ខ្លួន ។ នៅពេលបច្ចុប្បន្ននេះយើងនៅមិនទាន់ដឹងច្បាស់ថា តើការធ្វើចំការដាំដើមឈើឆាប់ធំនឹងចូលរួមចំណែកក្នុងការអភិវឌ្ឍសេដ្ឋកិច្ចនៅកម្ពុជាហើយលើសពីនេះទៅទៀត យើងក៏មិនទាន់ច្បាស់ថានេះនឹងនាំទៅរកការអភិវឌ្ឍសេដ្ឋកិច្ចប្រកបដោយសមធម៌សំរាប់ប្រជាជនកម្ពុជាទាំងមូលដែរឬអត់ ។ ប៉ុន្តែគេអាចនិយាយអោយកាន់តែច្បាស់ថា ការអភិវឌ្ឍចំការបានផ្តល់នូវផលប៉ះពាល់ជាអវិជ្ជមានយ៉ាងធ្ងន់ធ្ងរមកលើបរិស្ថានព្រមទាំងកោសិការសង្គម ។

របាយការណ៍នេះមិនមែនអះអាងថា ជាការវាយតំលៃបែបសេដ្ឋកិច្ចទៅលើតំរូវសម្បទានសេដ្ឋកិច្ចទាំងមូលដែលត្រូវបានអនុម័តយល់ព្រមដោយរាជរដ្ឋាភិបាលនៅពេលនេះនោះទេពោលគឺមានគោលបំណងត្រឹមត្រូវមចំណែកដល់ការពិភាក្សាអំពីសម្បទានសេដ្ឋកិច្ចជាជាការផ្តល់នូវចំលើយដាច់ស្រេចចំពោះសម្បទាន ។ តែទោះជាយ៉ាងណាក៏ដោយការចុះស្រាវជ្រាវនៅមូលដ្ឋានបង្ហាញអោយឃើញថា ផលប៉ះពាល់អវិជ្ជមានយ៉ាងធ្ងន់ធ្ងរផ្នែកសង្គម និងបរិស្ថានដែលមានចំណងទាក់ទងនឹងចំការធំៗ ៤ ដែលកំពុងដំណើរការអភិវឌ្ឍនៅពេលបច្ចុប្បន្ននេះ ។ ជាការពិតណាស់ចំការប្រហែលអាចជាផ្នែកមួយចាំបាច់នៃគន្លងអភិវឌ្ឍន៍សេដ្ឋកិច្ចជារួមនៅកម្ពុជា ប៉ុន្តែអោយតែការអភិវឌ្ឍនោះធ្វើឡើងប្រកបដោយការទទួលខុសត្រូវផ្នែកបរិស្ថាន និងសង្គម ។

អនុសាសន៍ជាទូទៅក្នុងរបាយការណ៍នេះគឺផ្តោតទៅលើផលប៉ះពាល់ជាអវិជ្ជមានផ្នែកបរិស្ថាន និងសង្គម គួរតែត្រូវបានគេយកទៅពិចារណាមុននឹងការសម្រេចចិត្តឱ្យមានសម្បទានសេដ្ឋកិច្ចសំរាប់ទៅថ្ងៃអនាគត ។ លើស ពីនេះទៅទៀត របាយការណ៍នេះបានផ្តល់អនុសាសន៍ឱ្យមានការពិភាក្សាអំពីគោលនយោបាយដែលពាក់ព័ន្ធស្តីអំពី សម្បទានសេដ្ឋកិច្ច ថាតើវាគឺជាដំណោះស្រាយដ៏ល្អបំផុតក្នុងការអភិវឌ្ឍដើម្បីកាត់បន្ថយភាពក្រីក្រនៅក្នុងព្រះរា- ជាណាចក្រកម្ពុជា និងផលប្រយោជន៍យ៉ាងធំធេងសម្រាប់ការអភិវឌ្ឍន៍ជនបទ ។

ទំនាក់ទំនងរវាងសហគមន៍មូលដ្ឋាន ជីវិត និងធនធានធម្មជាតិ

រាជរដ្ឋាភិបាលកម្ពុជាគួរទទួលស្គាល់នូវចំណងទាក់ទងរវាងជីវភាពរបស់សហគមន៍នៅមូលដ្ឋាន និងជីវិត និងធនធានធម្មជាតិដែលពួកគាត់ពឹងអាស្រ័យ ។ នេះរួមមានដីសំរាប់ធ្វើកសិកម្ម ដីព្រៃ និង NTFP និងធនធាន ផ្សេងៗទៀតដូចជា ទឹក និងត្រី ។ សហគមន៍ដែលនឹងត្រូវផ្តាស់ប្តូរទីលំនៅដោយសារការអភិវឌ្ឍសម្បទានគឺស្ថិត នៅក្នុងចំណោមអ្នកដែលក្រីក្របំផុត និងអ្នកដែលងាយរងគ្រោះបំផុត ហេតុនេះការផ្លាស់ប្តូរជីវភាពរបស់គាត់ បន្ទាប់ពីផ្លាស់ទីលំនៅត្រូវចាត់ទុកថាជាក្តីកង្វល់ដ៏ធំបំផុត ។ យុទ្ធសាស្ត្រឆ្លាស់សំរាប់ការកាត់បន្ថយភាពក្រីក្ររួមមាន ដូចជាជួយផ្នែកកសិកម្មគំរោងឥណទានខ្នាតតូច និងការបំបែកមុខរបរគួរត្រូវចាត់ទុកថាជាជំរើសឆ្លាស់ក្រៅគំរូពី សម្បទានសេដ្ឋកិច្ចដើម្បីកាត់បន្ថយភាពក្រីក្រ ។

ទន្ទឹមនឹងនេះគួរទទួលស្គាល់ថានៅតាមទីកន្លែងជាច្រើនសហគមន៍មូលដ្ឋានក៏កំពុងបំផ្លាញធនធានធម្មជាតិ ផងដែរ ហើយនេះក៏ទាមទារអោយមានដំណោះស្រាយ ។ ការបណ្តុះបណ្តាលត្រឹមត្រូវអាចបញ្ចៀសនិន្នាការនេះ ទន្ទឹមនឹងការកសាងគំរោងផ្សេងៗ ដូចជាសហគមន៍ព្រៃឈើ ឬសហគមន៍ព្រៃការពារជាដើមផ្តល់អោយសហគមន៍ នូវគំនិតនៃភាពជាមិត្តិ និងការប្តេជ្ញាថែរក្សាការពារធនធានធម្មជាតិដែលនឹងធានានូវការធ្វើអាជីវៈកម្មក្នុង រយៈពេលយូរ និងប្រកបដោយនិរន្តរភាព ។

ការទទួលបានព័ត៌មានជាសាធារណៈ

មានកង្វះខាតព័ត៌មានជាសាធារណៈអំពីទិដ្ឋភាពជាច្រើននៃស្ថានភាពបច្ចុប្បន្នរបស់សម្បទានសេដ្ឋកិច្ច ។ ជាពិសេសប្រទេសផ្តល់ជំនួយគួរបន្តស្នើសុំអោយផ្សព្វផ្សាយអំពីសម្បទានជាសាធារណៈនូវព័ត៌មានពាក់ព័ន្ធ ដែលគេ បានធ្វើឡើងកាលពីកិច្ចប្រជុំ CG ចុងក្រោយ ។ សំណើដែលនៅសល់ភាគច្រើនមិនត្រូវបានឆ្លើយតប ។ ព័ត៌មាន ដែលត្រូវផ្សព្វផ្សាយរួមមាន៖ ផែនទីព្រំប្រទល់សម្បទាន EIA ការវាយតម្លៃវិនិយោគដែលរួមមានការផ្សព្វផ្សាយ អំពីសាខាក្រុមហ៊ុន^៥ កិច្ចសន្យាសម្បទាន និងស្ថានភាពអនុវត្តន៍តាមកិច្ចសន្យា ។

⁵ ត្រូវប្រកាសអំពីសាខាក្រុមហ៊ុនដើម្បីចៀសវាងការបង្ខំចូលមកកម្ពុជា នូវក្រុមហ៊ុនដែលមានកេរ្តិ៍ឈ្មោះមិនល្អ ។ ករណីជាក់ស្តែង គឺទំនាក់ទំនងរវាងក្រុមហ៊ុន Green Elite Co. Ltd, និង ក្រុមហ៊ុនសាច់ឈើ និងក្រដាសអាស៊ី (APP)

ដំណើរការផ្តល់សម្បទានសេដ្ឋកិច្ច

តាមរយៈដំណើរការផ្តល់សម្បទានសេដ្ឋកិច្ចត្រូវបានពិនិត្យពិចារណា និងសើរើឡើងវិញ។ ដំណើរការត្រឹមត្រូវជាបឋមត្រូវពាក់ព័ន្ធជាមួយភ្នាក់ងារមានសមត្ថកិច្ចរបស់រាជរដ្ឋាភិបាលគួរកំណត់តំបន់ដែលសមស្របសំរាប់ការអភិវឌ្ឍសម្បទានសេដ្ឋកិច្ច និងបន្ទាប់មកត្រូវឆ្លងកាត់ដំណើរការដេញថ្លៃដែលត្រូវធ្វើឡើងដោយចំហរគណនេយ្យភាព និងតម្លាភាព។ ផ្ទុយទៅវិញប្រព័ន្ធបច្ចុប្បន្ននេះហាក់ដូចជាផ្អែកទៅលើកំណត់ទៅលើតំបន់សម្បទានដោយក្រុមហ៊ុនផ្ទាល់តែម្តង ហើយដែលក្រោយមកត្រូវស្នើសុំដោយផ្ទាល់ពីក្រសួងកសិកម្មរុក្ខាប្រមាញ់ និងនេសាទ។ ដំណើរការសំរេចបន្ទាប់មកគ្មានតម្លាភាព និងគ្មានគណនេយ្យភាព។

សហគមន៍ត្រូវបានពិគ្រោះយោបល់ នៅដំណាក់កាលធ្វើផែនការ មុនពេលផ្តល់សម្បទាន និងគួរចូលរួមយ៉ាងសកម្មនៅក្នុងដំណើរការធ្វើផែនការ។ នៅពេលបច្ចុប្បន្ននេះវាច្បាស់ណាស់ថា សហគមន៍ស្ទើរតែគ្មានការចូលរួមសោះនៅក្នុងដំណើរការធ្វើផែនការ។ ដោយហេតុនេះហើយទើបវាមិនទំនងសោះថា សហគមន៍នឹងទទួលបានផលប្រយោជន៍ផ្នែកសេដ្ឋកិច្ចពីការធ្វើការសោះឡើយ។ យ៉ាងហោចណាស់ការចូលរួមគួរមានព័ត៌មានតាមរូបភាពមួយសមរម្យដែលត្រូវបានផ្តល់ជូនសហគមន៍ដែលរងការប៉ះពាល់ និងការរៀបចំវេទិកាសាធារណៈដែលមន្ត្រីមានសមត្ថកិច្ចអាចដោះស្រាយនូវកង្វល់របស់សហគមន៍។ ប្រសិនបើដូច្នោះទៅទៀតនោះគឺដំណើរការនៃ “ការធ្វើផែនការប្រើប្រាស់ដីដោយមានការចូលរួម” (PLUP) ដែលពាក់ព័ន្ធអោយសហគមន៍កំណត់ការប្រើប្រាស់ដីដោយពួកគេផ្ទាល់រួមទាំងដីដែលអាចប្រើប្រាស់ជាសម្បទានសេដ្ឋកិច្ច។

ក្រុមហ៊ុនធ្វើចំការអាចធ្វើសកម្មភាពតាមរបៀបមួយកាន់តែមានការទទួលខុសត្រូវដែលក្រុមហ៊ុន Marubeni Development Corporation នៅខេត្តមណ្ឌលគិរីអាចជាករណីជាក់ស្តែងមួយ បើទោះបីជានៅមិនទាន់ច្បាស់ថាតើក្រុមហ៊ុន Wuzhishan បានធ្វើអោយប៉ះពាល់ធ្ងន់ធ្ងរទៅលើដីដែលក្រុមហ៊ុន Marubeni បានទទួលការអនុញ្ញាតអោយអភិវឌ្ឍន៍ដែរឬអត់។ គេយល់ថាក្រុមហ៊ុន Marubeni បានសិក្សាលទ្ធភាពគំរោងដែលពាក់ព័ន្ធនឹងការពិគ្រោះយោបល់ជាមួយសហគមន៍មូលដ្ឋានមុននឹងឈានទៅដល់ការធ្វើការសិក្សា EIA និង SIA ។ បើតាមរបាយការណ៍ពីមូលដ្ឋានបានអោយដឹងថា ក្រុមហ៊ុនបានសំដែងនូវការចាប់អារម្មណ៍ក្នុងការអនុវត្តគំរោងសាកល្បងមួយដោយផ្តល់ប័ណ្ណកម្មសិទ្ធិសហគមន៍ជូនជនជាតិដើមភ្នំដែលរស់នៅក្បែរនោះ។

ការរំលោភវិធី

រាល់សម្បទានទាំងអស់ត្រូវកំណត់នៅលើផែនទីដែលអាចរកបានជាសាធារណៈ ហើយគួរចុះបង្គោលអោយបានច្បាស់លាស់មុនពេលចាប់ផ្តើមឈូសឆាយ និងដាំដើមឈើដើម្បីចៀសវាងការរំលោភដោយខុសច្បាប់លើដីសាធារណៈ ឬដីឯកជន។ សហគមន៍ និងអាជ្ញាធរមូលដ្ឋានគួរមានពេលវេលាគ្រប់គ្រាន់ដើម្បីផ្ទៀងផ្ទាត់ព្រំប្រទល់សម្បទាន និងគួរមានយន្តការសំរាប់ដោះស្រាយជំលោះប្រកបដោយតម្លាភាពបើកចំហរសំរាប់សាធារណៈជន និងឆាប់រហ័ស។

ការផ្តល់ប្តូរទីលំនៅ ការបាត់បង់ទ្រព្យសម្បត្តិ និងសំណង

នៅពេលបច្ចុប្បន្ននេះមានការយល់មិនច្បាស់លាស់ក្នុងចំណោមអ្នកភូមិ ថាតើពួកគេនឹងទទួលបានសំណង ចំនួនប៉ុន្មាន ចំពោះដីធ្លីដែលបានបាត់បង់ ឬមួយក៏ពួកគេនឹងទទួលបានដែរឬអត់។ តាមច្បាប់ភូមិបាលឆ្នាំ ២០០១ រាជរដ្ឋាភិបាលបានណែនាំដែលត្រូវអនុវត្តន៍សំរាប់គំរោងអភិវឌ្ឍន៍ផ្លូវការដូចជាគំរោងដែលគាំទ្រដោយ IMF បើ ទោះបីជានៅមិនទាន់ច្បាស់ថាតើគំរោងទាំងនោះនឹងត្រូវអនុវត្តលើក្រុមហ៊ុនឯកជនដែរឬអត់។ ការផ្តល់សំណងជូន សហគមន៍ដែលត្រូវផ្តល់ប្តូរទីលំនៅ ឬអ្នកដែលបានបាត់បង់ទ្រព្យសម្បត្តិត្រូវតែមានគ្រប់ចំនួនដើម្បីធានាអោយអ្នក ភូមិអាចកសាងជីវិតថ្មីសមរម្យ។ បេសកកម្មដើម្បីការឯកភាពចំពោះលក្ខខណ្ឌផ្តល់ប្តូរទីលំនៅ និងសំណងជាមួយ សហគមន៍មិនគួរធ្វើឡើងក្រោមបរិយាកាសគំរាមកំហែង ឬបំភិតបំភ័យឡើយ ឧទាហរណ៍ការប្រើប្រាស់កំលាំង ប្រដាប់អាវុធ ឬកំលាំងប៉ូលីសអមដំណើរទៅជាមួយ។

ការងារ

ប្រសិនបើមានផលប្រយោជន៍ចំពោះប្រជាជនមូលដ្ឋានពីការទទួលបានការងារពេលដំបូងនៃគំរោងចំការ - លើដំនោះគួរផ្តល់ការងារជូនប្រជាជនមូលដ្ឋានអោយធ្វើការនៅក្នុងចំការ។ ក្រោយពីដំណាក់កាលនៃការកសាង ចំការពេលដំបូងនៅពេលដែលឱកាសការងារនៅក្នុងចំការបានធ្លាក់ចុះគួរកសាងយុទ្ធសាស្ត្រដើម្បីការងារ /មុខរបរ ផ្សេងដើម្បីទ្រទ្រង់គ្រួសារដែលមិនអាចមានការងារទៀងទាត់នៅក្នុងចំការ។

លក្ខខណ្ឌការងារនៅក្នុងចំការមានការលំបាក និងគ្រោះថ្នាក់ហើយភាគច្រើនស្ថិតនៅក្នុងព្រៃជ្រៅតំបន់ កើតជំងឺគ្រុនចាញ់ដែលនៅទីនោះមណ្ឌលសុខភាពហើយសូម្បីតែទីផ្សារក៏មានកំរិតយ៉ាងខ្លាំង។ ប៉ុន្តែនេះមិនបាន អនុវត្តន៍ច្បាប់ការងាររបស់កម្ពុជាសំរាប់ក្រុមហ៊ុនឡើយ ហើយដែលត្រូវតែអនុវត្តន៍ព្រោះជាលក្ខខណ្ឌលំបាក។

គណនេយ្យភាពរបស់ក្រុមហ៊ុន

ក្រុមហ៊ុនទាំងអស់ត្រូវទទួលខុសត្រូវផ្នែកបរិស្ថាន និងសង្គមដែលមានចែងនៅក្នុងកិច្ចសន្យា (ប៉ុន្តែនៅ ពេលនេះកិច្ចសន្យាមិនសូវផ្សព្វផ្សាយសាធារណៈឡើយ)។ ជាពិសេសតាមគំរូក្រុមហ៊ុន Green Rich ក្រុមហ៊ុន ទាំងអស់គួរតែដាក់ទណ្ឌកម្មអោយធ្ងន់ធ្ងរ ប្រសិនបើគេរំលោភទៅលើលក្ខខណ្ឌដែលមានចែងនៅក្នុងកិច្ចសន្យារបស់ គេ។ ក្រៅពីលក្ខខណ្ឌព្រមព្រៀងនៅក្នុងកិច្ចសន្យាវិធានការជាក់លាក់ត្រូវធ្វើឡើងដើម្បីធានាថា ក្រុមហ៊ុនទាំងអស់ ផ្តល់ផលប្រយោជន៍ដល់សហគមន៍មូលដ្ឋានមិនត្រឹមតែលក្ខខណ្ឌសំរាប់ការងារដែលត្រូវស្ថិតនៅក្រោមរូបភាពនៃការ ធានាខ្លះ ប៉ុន្តែរួមទាំងហេដ្ឋារចនាសម្ព័ន្ធជារូបវន្ត និងសង្គមដែលតែងតែត្រូវបានសន្យាចំពោះសហគមន៍មុនពេល គំរោងចាប់ផ្តើម ប៉ុន្តែមិនដែលធ្វើតាមការសន្យានោះទេ។

ម្យ៉ាង

ក្នុងកិច្ចការសម្របសម្រួលសម្បទានសេដ្ឋកិច្ចទាំងអស់ត្រូវធ្វើឡើងនៅក្នុងព្រំដែននៃច្បាប់កម្ពុជាមានច្បាប់ភូមិ-
បាល ឆ្នាំ២០០១ ច្បាប់ស្តីពីកិច្ចការពារបរិស្ថាន និងគ្រប់គ្រងធនធានធម្មជាតិ ឆ្នាំ១៩៩៦ និងអនុក្រឹត្យពាក់ព័ន្ធដែល
ត្រូវបានអនុម័ត។ នេះរួមមាន :

- សម្បទានសេដ្ឋកិច្ចគួរផ្តល់អោយតែលើដីដែលជា private property of the state
- សម្បទានសេដ្ឋកិច្ចគួរតែមិនប៉ះពាល់ដល់ private ownership or collective ownership របស់សហគមន៍
- សម្បទានសេដ្ឋកិច្ចមិនគួរបង្កើតឡើងនៅកន្លែងដែលអាចសំរាប់សមូលហភាព នៅមុនពេល
ច្បាប់សម្របសម្រួលមាន និងការធ្វើអង្កេតពីការចុះបញ្ជីដីត្រូវបានគេធ្វើឡើង
- ដីសហគមន៍គួរទុកបំរុងសំរាប់កំនើនប្រជាជនរយៈពេលវែង នៅក្នុងដែនសម្បទានសេដ្ឋកិច្ចដែល
ស្មើស្ម័គ្រ
- ការដាក់ស្នើសុំនិងការអនុម័តយល់ព្រមដោយក្រសួងមានសមត្ថកិច្ចនូវការវាយតម្លៃ ហេតុផល
ប៉ះពាល់បរិស្ថានមុនពេលសម្បទានសេដ្ឋកិច្ចណាមួយចាប់ផ្តើមសកម្មភាពរបស់ខ្លួន ។ លើសពីនេះ
ទៅទៀត EIA គួរផ្តល់ជូនសង្គមស៊ីវិល និងជាពិសេសសហគមន៍ដែលរងផលប៉ះពាល់ផ្ទាល់
ដើម្បីអាចអោយមានការចូលរួមប្រកបដោយអត្ថន័យនៅក្នុងដំណើរការអនុម័តយល់ព្រម ។
- កិច្ចសន្យាសម្បទានគួរចុះហេតុលេខា និងចុះឈ្មោះនៅក្រសួងដែនដីនគរូបនីយកម្ម និងសំណង់
មុនពេលប្រតិបត្តិការណ៍
- តំបន់សម្បទានសេដ្ឋកិច្ចមិនគួរមានទំហំលើសពី ១០.០០០ហិកតា
- សម្បទានសេដ្ឋកិច្ច មិនគួរបង្កើតឡើងនៅក្នុងតំបន់ការពារ
- ផលប្រយោជន៍ដល់សហគមន៍គួរត្រូវបានធានាដោយសម្បទានសេដ្ឋកិច្ច

អនុសាសន៍ជាច្រើននៅក្នុងរបាយការណ៍នេះ គឺមាននៅក្នុងច្បាប់កម្ពុជាតែម្នីដែលចង់សង្កត់ធ្ងន់នោះគឺការ
អនុវត្តច្បាប់ផ្សេងៗគ្នាមានការយកចិត្តទុកដាក់ពីរាជរដ្ឋាភិបាលកម្ពុជា និងក្រុមហ៊ុនគួរតែគោរពតាមច្បាប់ ។

1. Introduction

Few issues have become more important in Cambodia in recent years than access to land and natural resources. This represents an essential source of livelihood to Cambodia's rural poor, yet also a potential source of significant wealth for development/exploitation by national and international companies. Growing interest by commercial ventures in developing Cambodia's natural assets for commercial exploitation, in combination with an increasing rural population and resource degradation, has placed mounting demands on the limited natural resource base, including agricultural land, forests and fisheries. This risks excluding vulnerable rural populations from the very resources on which they depend for their, at times, precarious livelihood.

Perhaps the most contentious land issue at present is that of 'economic land concessions', and in particular those for agricultural/forestry commercial exploitation. Such agro-industry concessions in Cambodia comprise fast-growing trees (acacia, eucalyptus, pine), together with numerous cash crops including cassava, mung bean, sugar cane, rice and corn, and other valuable trees such as rubber and teak. Proponents and, increasingly, the Royal Government of Cambodia (RGC) argue that the development of economic concessions is necessary for Cambodia's economic development and, concomitantly, poverty alleviation. Other actors draw attention to the numerous negative consequences associated with economic concessions; they argue that ultimately the rural poor do not benefit, and indeed are significantly adversely affected by the concessions system (UNCOHCHR, 2004).

Numerous analyses of plantations from an international, regional and Cambodian perspective have been written in recent years. It is the intention of this report to contribute to the debate by presenting the results of a series of field-based investigations conducted by the Environment Forum Core Team (EFCT) between September 2004 and March 2005. These inquired into the impacts on and benefits for four communities' livelihoods in areas designated as economic concessions, namely: Koh Kong province; Pursat and Kampong Chhnang provinces; Kampong Speu province; and Monduliri province. A fifth group of villages was also visited, in Prey Veng and Svay Rieng provinces, where villagers grow fast-wood trees (acacia and eucalyptus) for local use.

The scope and nature of economic concession development in Cambodia remains to be equitably resolved; the appropriateness of the economic concession model as a vehicle for poverty alleviation remains to be conclusively demonstrated. Further information is required to assess the current extent of impacts resulting from plantations on local communities living within or near the plantations and on the local environment.⁶

This report presents the results of five field studies conducted by members of the EFCT. Section 2 of the report describes the field research aims and objectives. Section 3 introduces environmental and social issues associated with plantations from an international perspective, and places these in a Cambodian context. Section 4 provides the research methodology. Sections 5 to 9 present the results of the field research by province. Section 10 provides a summary of the key findings and draws conclusions from the research, and Section 11 offers recommendations based on the report's findings.

⁶ Throughout this report, 'economic concession' refers to the conceptual economic land use model, whereas 'plantation' refers to the on-the-ground reality of monoculture fast-wood tree plantations.

2. Aims and Objectives of the Report

The overall aim of the research is to determine the likely benefits and disadvantages of economic concession development on local people's livelihoods. It is hoped that the information generated may provide a more complete picture of the actual nature of plantation development in Cambodia and contribute towards the broader debate on whether economic concessions can contribute towards poverty alleviation objectives.

Key objectives of the investigation are:

- To contribute to the debate on the economic concession model by providing local people's perspective and experience of plantations to-date.
- To establish the magnitude and extent of socio-economic impacts on communities located within and close to plantations as a result of plantation activities and, in particular, to document changes in communities' livelihoods and whether they have been beneficial or negative.
- To establish the magnitude and extent of environmental impacts arising from plantation operations.
- To determine to what extent local people have been able to gain employment on plantations.
- To document through discussions with villagers the nature of the relationship between local authorities, plantation companies and communities.

3. An Introduction to Plantations

A brief overview of issues associated with plantations (based on secondary sources), in particular in Cambodia, is presented in the following section. For a detailed assessment of the benefits and drawbacks of plantations (beyond the scope of this report), the reader should refer to the numerous recent and more extensive reports. (See, for example: UNCOHCHR, 2004; Greenpeace, 2004; Lang, 2003; Cossalter and Pye-Smith, 2003; World Rainforest Movement, 2003; and Carrere and Lohmann, 1996.)

3.1 What are plantations?

Plantations come in numerous forms. For the purpose of this report, they are defined as monocultures of an economically valuable species grown over a large area. Of relevance to the present report is 'fast-growing tree' plantations, most commonly associated with species of acacia, eucalyptus and pine. Fast-growing trees exhibit an annual growth rate of at least 15 m³/Ha and are harvested between every five and twenty years (Cossalter and Pye-Smith, 2003). Despite being established for a variety of reasons, the wood from these trees often feeds the pulp and paper industry and the expanding global market for paper and wood-based products. Cossalter and Pye-Smith (2003) estimate that, worldwide, there are approximately 10 million Ha of fast-wood plantation, and the area under cultivation is growing at between 0.8 and 1.2 million Ha per year.

Fast-wood plantations have been viewed positively as reforestation programs: to prevent soil erosion and flooding; to reduce pressures on natural forests; to alleviate poverty; and to combat climate change. These arguments are, however, often disputed. There are numerous environmental and social impacts, fundamentally interlinked, associated with plantation development. Some argue that a well managed industry can at least limit the negative consequences associated with plantations (Cossalter and Pye-Smith, 2003); others say that the inherent nature of plantation development will almost always result in environmental and social destruction (Lang, 2003; Carrere and Lohmann, 1996). The development of fast-wood plantations has been controversial, and is the source of numerous serious social conflicts in several countries.

3.2 Environmental impacts

3.2.1 Biodiversity

The World Rainforest Movement quite clearly point out in their book of the same title, 'plantations are not forests' (WRM, 2003). Carrere and Lohmann (1996) explain that:

A forest is a complex, self-regenerating system encompassing soil, water, microclimate, energy, and a wide variety of plants and animals in mutual relation. A commercial tree plantation, on the other hand, is a cultivated area whose species and structure have been simplified dramatically ... A plantation's trees, unlike forest, tend to be of a small range of species and ages.

Plantations require large areas of land. The clearance of natural, primary forest to make way for a plantation, as has been the case in many countries, results in a loss of biodiversity (animals, birds, insects, plants and trees). Because plantations are a monoculture, and because of the types of trees grown and the management systems

imposed, almost no other plant or wildlife exists within a plantation (Cossalter and Pye-Smith, 2003). Biodiversity is important because of its stabilizing role in ecosystems of various scales, as an overall ethical principal, and because of its impact on local rural communities who are dependent on the richness of a natural forest that acts as ‘nature’s supermarket’ (see Section 3.4.1).

A common counter to such claims is that plantations are actually ‘reforestation’ programs of degraded land, as we have seen. In many cases, however, what a company or government classifies as degraded land may actually represent an essential basis of livelihood for local communities: reforestation may disrupt or destroy this. In other cases, the definition of degraded land is disputed, with some arguing that the land is not degraded at all. In extreme cases, the land may in fact be primary forest.

3.2.2 Water resources

Changes will occur in the hydrological regime of an area where a plantation is established. Depending on the type of land cover the plantation replaces, these changes will include, to varying extents: rainfall; overland flow; river hydrology; soil infiltration; and groundwater balance and movement. These are results of changes in surface cover and its reflectivity (albedo), impedance to overland flow and infiltration rates through the soil, changes in canopy cover affecting rainfall interception and transpiration, and so on. Changes in hydrological regime result in the disruption, often negative, of previous established environmental and social systems existing in the vicinity.

Some species of fast-growing trees require large quantities of water to grow. If the net water use is greater than before the plantation was established, water shortages will result for flora and fauna, and for communities and their agriculture downstream of the plantation. This is particularly salient where the area already has a limited water supply. Growing acacia and eucalyptus trees in particular is notorious for requiring large quantities of water; these trees have been associated with the desiccation of soils, lowering of groundwater tables, disappearance of streams and even rivers, and consequent serious detrimental impacts on local communities (see Greenpeace, 2004).

3.2.3 Soil degradation

Soil erosion increases on land where fast-wood plantations are established, leading to the loss of soil nutrients, particularly in poorly planned and managed plantations. This is the result of the short harvest cycle of the fast-wood trees, in which there is frequent clear-felling and replanting. When cleared, exposure to rainfall and wind removes surface soil and leaches nutrients.

In naturally occurring, long established forest ecosystems, nutrient cycles are, by necessity, sustainable. On the other hand, within a plantation nutrient cycles are not in balance, because trees are harvested – thereby removing nutrients that would normally be recycled within the ecosystem. As a result, plantations deplete nutrient concentrations within the soil, which leads to the need to apply artificial fertilizers to sustain growth, with significant potential environmental impacts (see Section 3.3.5).

3.2.4 Pest infestation

Plantations, by their definition, are monocultures. All monocultures, because of their uniformity, are prone to mass pest infestation. Exotic trees that are not native to the region of planting may be particularly vulnerable to pest infestation because they have no natural resistance to local insects, therefore destroying entire plantations (Carrere and

Lohmann, 1996). Others point out that this is not always the case: if good management is adopted the risk can be reduced (Cossalter and Pye-Smith, 2003). In either case, the control of pests requires the use of pesticides, bringing their well known associated risks.

3.2.5 Agrochemical pollution

The link between pesticide and fertilizer use and impacts on both human health and the environment is well established (Baird, 1998). Furthermore, the hazardous nature of pesticides available in Cambodia and the dangerous manner of their application owing to a lack of safety equipment and training are also well known (see CEDAC, 2004). Environmental impacts and resultant social impacts are numerous. For example, agrochemicals leached from the application site into water resources can negatively affect fisheries and make it hazardous to eat the fish or even destroy the fish stocks.

3.2.6 Pulp and paper mills

Pulp and paper mills require large amounts of chemicals, energy and water. The environmental impacts of these mills are often overwhelming, e.g. pollution of water resources with chemicals and wood particles. The generation of dioxins associated with pulp and paper mills is of particular concern (Baird, 1998). The development of prerequisite energy sources and transportation links necessary to operate a pulp and paper mill, if poorly conceived, result in numerous damaging environmental impacts.

3.3 Social impacts of plantations

3.3.1 Loss of land, assets and natural resources

The establishment of a plantation affects local communities. Those living within the concession area become alienated from their land and lose their entire means to livelihood. The massive size of a plantation often entails a similarly massive social upheaval.

Land tenure in regions of some developing countries can differ radically from the Western model. For example, indigenous peoples carry out rotational swidden agriculture, with complex systems of land use and ownership often not documented, or acknowledged, in state land registers. In other cases, land ownership is registered in a less formal sense. Under these conditions, companies can gain land ownership through political influence, often in a non-transparent and non-accountable manner, and often to the detriment of local communities using the land (and who have less political leverage).

For communities living within the vicinity of a concession, there is a loss of access to the resources of a forest, including timber, fisheries and non-timber forest products (NTFPs). Forested lands are also often important grazing areas for cattle. Many rural communities are dependent on NTFPs, both for their families' needs and as a secondary or even primary source of income. NTFPs include: firewood; wood for charcoal production; traditional medicines; forest fruits and plants (e.g. wild cassava or mushrooms); resin; honey; and bamboo. Some community members resort to collecting NTFPs as a resource in times of hardship, e.g. when crops fail owing to drought or flood. The loss of NTFP resources through plantation development removes a critical safety net, affecting communities negatively. Furthermore, on a case-by-base basis, communities suffer from other environmental impacts as described briefly above (water shortage, soil degradation...).

3.3.2 Employment generation

Proponents of plantations have argued that, while existing livelihood options are lost when a plantation is developed, employment opportunities on the plantation are gained. Indeed, the plantation industry often claims that it is bringing employment to remote rural areas. Opponents argue that, following clearance of forest and planting of seedlings, plantations require very little labor until the time for harvest arrives five to seven years later. By this time, villagers will have been alienated from their land and forest resources, and many will have been forced to migrate in search of other opportunities, which may or may not exist. It can be said with certainty, however, that if a plantation is developed within an area where land use is currently small-scale agriculture, there will be a great deal less employment available per hectare of land once the plantation has been established.

3.3.3 Security and intrusion

The establishment of a plantation near an established village can lead to serious intrusion upon and disruption to villagers' livelihoods. For example, the presence of armed guards hired to prevent trespassing is intimidating and leads to changes in locally accepted laws and understandings. The arrival of outsiders may instigate the proliferation of undesirable social development, such as the establishment of brothels, which will potentially increase the local prevalence of HIV/AIDS as well as other STDs. Other concerns already experienced in Monduliri province include fear for the safety of women working alone in the fields, and the theft of animals and fruits for food by plantation workers.

There are numerous social impacts associated with the arrival of large numbers of migrant workers in rural areas where plantations are to be developed. These include:

- Impacts on the local economy: often local food prices rise owing to increased demand.
- Migrant workers are often not used to the environment and therefore exhibit a vulnerability to local health issues, for example malaria.
- Local public health services are put under increased pressure if budgets are not appropriately increased to account for the increasing local population serviced.
- Local crime rates often increase.
- In areas of poor working conditions, migrant workers may often leave employment but cannot afford to return home, becoming stranded in the area. This can place increased pressure on local job markets, especially for informal paid-labor work.

3.4 A regional and global perspective on plantations

The plantation phenomenon is not unique to Cambodia. In fact, in comparison with other countries in Southeast Asia (Thailand, Laos and Vietnam), the industry is at a comparatively early stage. This provides a useful perspective from which to view the potential repercussions of large-scale fast-growing tree plantations. Lang (2003), following extensive research in the region, concludes that 'the impacts of fast-growing tree plantations and of pollution from pulp and paper mills have often been devastating for local communities, their forests and their rivers.' The expansion of the industry throughout the Mekong region has affected increasingly large numbers of villagers, who have been deprived of their traditional and only means of livelihoods. A similar experience has been felt in other countries of the region, perhaps most notably in Indonesia, where between 1981 and 2001 1.4 million Ha of industrial pulp wood plantation was established, half of which cleared natural primary forest. In fact, this is

only 5-7% of the total clearance, which also includes palm oil plantations and other food and tree crops (Cossalter and Pye-Smith, 2003).

Lang (2003) explains the global process by which the expansion of plantations in the Mekong region are driven, namely, consumer paper demand in 'the North' instigating Northern development actors, companies, technical assistance and financing to establish plantations in 'the South'. Lang (2003) argues that, without the availability of cheap loans and subsidies and favorable investment climates, plantations cease to be economically viable. Furthermore, such an economic analysis does not account for the environmental and social destruction often associated with plantation developments.

A new factor, the Clean Development Mechanism, adds an additional incentive to develop fast-wood plantations (Lang, 2003; World Rainforest Movement, 2003). As a component of the Kyoto Protocol on global warming, it has been argued that plantations act as 'carbon sinks', absorbing carbon accumulating in the atmosphere – primarily as a result of industrial activities in the Industrial North. Scientists have argued that a ton of carbon stored in a plantation is equivalent to a ton of carbon released by industrial activity, primarily burning fossil fuels. Considered by some a deceitful way for Northern countries to continue excessively consuming fossil fuels, and founded on dubious scientific evidence, 'carbon credits' can be gained by countries or companies in excess of their allocated carbon allowance by establishing plantations of equivalent size in countries that have no emission cap under the protocol (mainly developing countries), with all of the negative environmental and social consequences that follow.

3.5 Economic concessions in Cambodia

3.5.1 A recent history of economic concessions and plantations in Cambodia

Since Cambodia's transition to a market-orientated economy in the early 1990s, the demand for land and associated natural resources (forest, mineral, agriculturally productive soils) by private investors has escalated. It has been estimated that between 1993 and 1999 the Cambodian government gave over one-third of the most productive areas to private companies for commercial exploitation in the form of concessions. At its peak, eight million hectares were designated as concessions, although this has now been reduced to around 2.7 million hectares (UNCOHCHR, 2004).

There are many types of agro-industry plantation established or in the process of being established in Cambodia, including acacia and eucalyptus (i.e. fast-woods), palm oil, cassava, sugar cane, corn, rubber, teak tree and cashews. By February 2003, the Council of Ministers had approved 40 economic concessions, totaling 809,296 Ha, although not all of these approved economic concessions have gone on to be established on the ground (UNCOHCHR, 2004). Furthermore, it seems likely that this list is not exhaustive, as some economic concessions granted at provincial level are within military development zones and therefore are not necessarily centrally registered.

Industrial plantations are not new to Cambodia, although there are very few fast-wood industrial plantations currently established in Cambodia. Rubber plantations were planted mainly during the French colonial era in Kampong Cham and Kratie provinces, on high quality red soil. These trees are rapidly aging and rubber production is falling. Later on, rubber plantations were also planted in areas such as Ratanakiri province.

In August 2000, the RGC announced a new policy to promote ‘family-scale rubber plantations’ in order to develop rural areas (RGC, 8.8.00). This supports a general policy of the RGC to develop new rubber plantation concessions. For example, in February 2001, a 6,200 Ha rubber plantation was awarded to Chup Rubber Plantation Company in Tumring Commune, Sandan District, Kampong Thom province. This has proven to be controversial. The livelihoods of around 2,000 local people, most of whom were dependent on shifting agriculture and NTFPs (in particular resin collection), were disrupted by the development, which involved clear-cutting the natural forest, including resin trees, and replanting with rubber trees. Most of the affected community members were offered three Ha for family-scale rubber plantation. However, there have been difficulties in adjusting to this new mode of livelihood. In addition, uncertainties in the market for rubber, a lack of starting capital and technical assistance, and the long period of time before the rubber crop provides yields (seven to 10 years), have meant that local communities have struggled in their new lifestyle (NGO Forum on Cambodia and Mlup Baitong, 2005).

3.5.2 Cambodian Law relating to economic concessions

The 2001 Land Law applies to all land concessions for economic purposes (but not logging, mining, port and fishing concessions); to-date, numerous sub-decrees remain to be passed to make it effective (UNCOHCHR, 2004). The Land Law permits investors to manage and harvest their concession for up to 99 years, although certain conditions apply. For example, in order to counter land speculation if a concessionaire has not commenced activity within 12 months, the contract is considered cancelled. In reality, despite limited activity by concessionaires, it would appear that most still hold their contract. Also, the area of a concession, in all but exceptional instances, is limited to 10,000 hectares in size (Article 59). Many concessions exceed this limit.

According to the 2001 Land Law, state land is differentiated into ‘state public land’ and ‘state private land’. State public land is inclusive of, *inter alia*, ‘Any property that has a natural origin, such as forests, courses of navigable or floatable water, natural lakes, banks of navigable and floatable rivers and seashores’ and ‘Any property that constitutes a natural reserve protected by the law’ (Article 15). According to Article 16, ‘State public property is inalienable and ownership of those properties is not subject to prescription.’ Article 16 goes on to say ‘When State public properties lose their public interest use, they can be listed as private properties of the State by law on transferring of state public property to state private property.’ Article 17 then states ‘Lands within the State private property may be the subject of a concession.’

Forested land initially appears, therefore, to be automatically defined as state public land that cannot be designated as economic concession. However, the Forestry Law (2002) defines forested land according to three categories: Production Forest; Protection Forest; and Conversion Forest (Article 10). The latter is defined as ‘idle land, comprised mainly of secondary vegetation, not yet designated for use by any sector that shall be classified as Permanent Forest Reserves until the Royal Government decide to use and develop the land for another purpose.’ This, therefore, allows some forest estate to be allocated for development as an economic concession. Production Forest also allows for concessions, in that it consists of, *inter alia*, ‘Reserve Forestland for reforestation or tree plantation.’ Therefore, classification of the forest type is critical under the Land Law, in terms of whether an area is applicable for development as an economic concession.

The 1996 Law on Environmental Protection and Natural Resource Management requires the submission of an environmental impact assessments (EIA) under Article 6 for ‘every project and activity of either private or public’ before a project may be approved by the government, reviewed by the Ministry of Environment (MoE). Article 8 of the Anukret on environmental impact assessment Process (AEIAP) narrows this down by requiring an EIA only where the MoE deems a project to have a ‘serious impact to the natural resources, ecosystem, health, or public welfare’. However, both an initial EIA and a ‘pre-feasibility study’ are required by the AEIAP for private agricultural projects equal to or greater than 10,000 Ha. While to-date there would appear to have been little compliance with this law, a recent court action by the RGC against Green Elite Co. Ltd – developing a concession in Koh Kong province – may indicate an improved vigilance (see Section 5). Also relevant to environmental protection, Article 3 of the 1994 ‘Declaration on the Protection of Natural Areas’ prohibits deforestation for land use in protected natural areas.

On 18 October 2004, the Prime Minister of Cambodia, Samdech Hun Sen, was lauded by donors and civil society when he announced the suspension of the granting of further land concessions pending the approval of a sub-decree on economic land concessions. He also requested that all existing contracts be reviewed to ensure compliance with the 2001 Land Law (Pyne and Kimsong, 19.10.04).⁷ Furthermore, Samdech Hun Sen voiced support for the creation of social concessions, in which landless Cambodians were to receive tracts of land to farm. Unfortunately, six months later, at the 8th Government Private Sector Forum on 14 March 2005, Samdech Hun Sen reversed this position and said that the government would once again authorize the granting of land concessions; he stated that this was a necessary step in order to attract investment to Cambodia (Kimsong and Berthiaume, 15.3.05).

3.5.3 Plantations and local populations in Cambodia

Plantations have been found to have social, economic and cultural consequences in Cambodia, and in some cases to have resulted in conflict (UNCOHCHR, 2004). The establishment of the economic concession system within Cambodia is at an early stage, but there is little indication that it has been of benefit to the rural poor. Indeed, it has been concluded by some that the terms of economic concession contracts favor the concessionaire (CDRI, Working Paper 23, quoted in UNCOHCHR, 2004)

Throughout Cambodia, including in areas where economic concessions have been allocated, many villagers do not possess land ownership titles, relying on a traditional system of local recognition of land ownership. The Land Law 2001 (Article 30) entitles villagers who have been in uncontested possession of land for five years to claim legal ownership, although many are unaware of this. The absence of officially registered land ownership titles, together with a weak judicial system and support of the local authorities, companies have been able to act to alienate villagers from their land. The right to private property, however, is protected according to Article 44 of Cambodia’s Constitution: confiscation in the public interest may only be conducted if fair and advanced compensation is provided. In the case of the economic concession system in Cambodia, this does not seem to have been regularly enforced (UNCOHCHR, 2004).

UNCOHCHR (2004) identifies that the impacts of economic concession development in areas populated by indigenous populations, namely, the north/northeast of Cambodia,

⁷ At the time of writing, the sub-decree is yet to be finalized

may result in particularly severe social upheaval. These communities generally practice swidden agriculture; alienation from traditional land has serious consequences for their long-term future. In Mondolkiri province, in August 2004, a 10,000 Ha concession to plant pine trees was granted to Wuzhishan LS Group, which could potentially expand to 199,999 Ha. The initially granted area is home to over 3,000 people, primarily of Phnong ethnicity. Section 8 of this report documents the consequences of this concession.

Additional impacts on local populations, as already described in Section 3.3, include loss of access by communities to forest resources, for example NTFPs. In addition, loss of wildlife affects hunting (which, although often illegal, nonetheless represents a source of income at the present time). Social impact assessments are required before for the approval of an economic concession.

3.5.4 Motives for plantations in Cambodia

According to the economic concession model, plantation development will generate much-needed income for the state (via land rental charges and taxes). The claim is that this will stimulate private enterprise, as well as create jobs for rural communities, thus contributing to poverty alleviation. However, there is so far no evidence that economic concessions are resulting in sustainable development in Cambodia, from both an economic and an environmental perspective (UNCOHCHR, 2004). For example, at present the sub-decree necessary to collect rental fees from concessionaires remains to be passed. As a result, large swathes of state land are exploited rent-free and contribute little towards Cambodia's development.

A particularly serious allegation is that economic concessions granted in areas of primary forest are a front for logging activities, in which the concessionaire would appear to have no intention of planting industrial crops once the forest has been cleared (UNCOHCHR, 2004). This would circumvent the more rigorous Forestry Law introduced in August 2002, as well as the moratorium on logging imposed in January 2002. Article 49 of the Land Law, to which economic concessions are subject, permits concessionaires to remove areas of forest within the concession, in order to prepare the land for planting. In the Chup Rubber Plantation Company in Tumring Commune, Sandan District, Kampong Thom province, natural forest was clear-cut first before planting rubber trees (NGO Forum on Cambodia and Mlup Baitong, 2005). In other words, the company benefited from logging, as well as from planting rubber trees.

Another potential motive for economic concession development, or lack of it, is land speculation. Contracts extend for up to 99 years; at least some are known to permit sub-leasing following approval by the RGC. Land prices are expected to continue to increase in Cambodia, and sub-leasing the concession area to other companies or small-holders may become a profitable business (UNCOHCHR, 2004). This would be, however, illegal under Article 57 of the 2001 Land Law, which would require an entirely new concession contract to be prepared.

3.5.5 Access to information and transparency in Cambodia

UNCOHCHR (2004) reports that it is extremely difficult to access even the most basic of information on economic concessions. This limits the ability of civil society to monitor and participate in decisions affecting large portions of society. The lack of transparency, together with weak institutions and regulatory mechanisms, may open the door to corrupt deals that listen to private companies' interests over those of the public.

Such non-transparency was demonstrated to the donor community at the Consultative Group meeting in December 2004 to the RGC. Donors made demands on a number of reform goals, including: immediate public disclosure of economic land concession contracts and their locations; consultation with local communities; and the production of environmental and social impact assessments. To-date, these demands remain unmet.

4. Research Methodology

4.1 Focus

The field investigation's focus was to identify the potential or actual socio-economic and environmental impacts associated with the development of plantations in Cambodia, and to gain an understanding of local people's experience and impressions of plantation development activities in their local area.

4.2 Site selection

Site selection was based on EFCT members' and key informants' recent experience of economic concession development in Cambodia. Key characteristics of each site are presented in Table 4.1. Sites were selected with a view to demonstrating the diversity of experience of economic concession development in Cambodia, as well as the relative urgency to find further information about a particular case. In all areas, although some information has become available recently from observers, no systematic questionnaire research had been conducted.

It should be noted that the case study in Svay Rieng and Prey Veng provinces examines the independent use of fast-growing trees by villagers for production of materials for local use and sale. On occasion, the fact that villagers also use fast-growing trees is used as an example of the benefits that can be derived from such species for local populations, which is then extrapolated to plantation-scale developments. In no way is the circumstance found in Svay Rieng and Prey Veng provinces comparable with that of a monoculture plantation. Research was conducted in this area to examine the actual benefits and drawbacks local villagers derive from fast-growing trees.

4.3 Research methodology

Prior to the fieldwork phase, EFCT members undertook training on questionnaire design, research methods, interview techniques and data entry.⁸ Household questionnaires were developed by EFCT appropriate to the circumstance of each area, with questions exploring: occupation; household debt; food security; impact on agriculture, fisheries, non-timber forest products, timber, wildlife and water resources; employment on the plantation; resettlement and loss of assets; and quality of relationship between the authorities, company and community. Interview times varied, although typically took around one hour.

Fieldwork was conducted between September 2004 and March 2005. Table 4.2 details the locations, dates and numbers of interviews conducted (in total, 283 interviews). Interviewees were selected on a random basis within the target villages. Fieldtrips were facilitated by either local NGOs or a local/national authority. At the end of each fieldwork, the team met together to summarize key observations. Individual team

⁸ Training provided by Dr C. Middleton in September 2004.

members then entered their household survey results into a pre-prepared excel spreadsheet. The results from all team members were then compiled for analysis.

4.4 Limitations of the report

The large areas of land involved, either in plantations under development or in those proposed, together with the limited scope of the study, necessitated a rationale for selection of study sites. Therefore, villages that were most knowledgeable of the plantation development, or those affected already, were prioritized under the assumption that other villages would respond similarly in the future. Importantly, this also means that while the information collected from the villages surveyed is representative, it may not be appropriate to extrapolate the results to other villages in the survey area if they are under different circumstances of plantation development.

In several cases, villagers identified causes and effects that would require rigorous scientific research to either prove or disprove. For example, the link between the use of the herbicide glyphosate and associated cattle deaths in Mondolkiri province cannot be either proven or disproved in the absence of scientific information, although such analysis is unavailable in Cambodia.

Fear to speak openly necessarily limits information collection, particularly on more sensitive issues (such as opinions towards the company and its activities).

Regarding the economic data collected in the study, the earnings derived from activities should be taken only as indicative. This is necessary because of limited availability of time in the field, together with the notorious inaccuracy involved in asking people to recall their earnings without validation from long-term monitoring. Quantifying earnings was complicated by the seasonality of most activities, especially the collection of NTFPs (reported as the average income derived per month while in season – information regarding the length of the season was not collected). In rice farming, villagers provided either monthly or yearly cash income. In this case, it has been assumed that monthly values can be multiplied to yield a yearly income. It must be emphasized that most rice farmers will set aside enough rice for the family's subsistence, which is therefore not measurable as a cash income. Finally, it should be noted that some families were unable to provide income figures. In addition, considering the relative range of wealth between families in a village, the values produced in this report can only be taken as a generalization.

In several categories of questions, villagers were asked to recall conditions before the plantation company arrived and then evaluate conditions at the present time, for example availability of timber or NTFP. Although this is an acceptable research tool, it is second to conducting a baseline survey before the concession arrived and contrasting these results with interviews conducted after the companies' activities began.

A final limitation related to the research conducted in Mondolkiri was the absence of any Phnong people on the research team. Many Phnong people were able to be interviewed in Khmer language; where this was not possible, translators were found within the village to facilitate. Whether or not a household was able to speak Khmer was not a basis of household selection, which was random.

4.5 Leadership of the research

For Koh Kong province, research was lead by Dr. Carl Middleton and Mr. Hak Sokleap. For research in Kampong Speu, Pursat, Kampong Chhang, Prey Veng and Svay Rieng provinces, research was lead by Mr. Hak Sokleap. For research in Mondolkiri province, research was led by Ms. Men Vanavy.

Map 4.1: Locations of villages visited

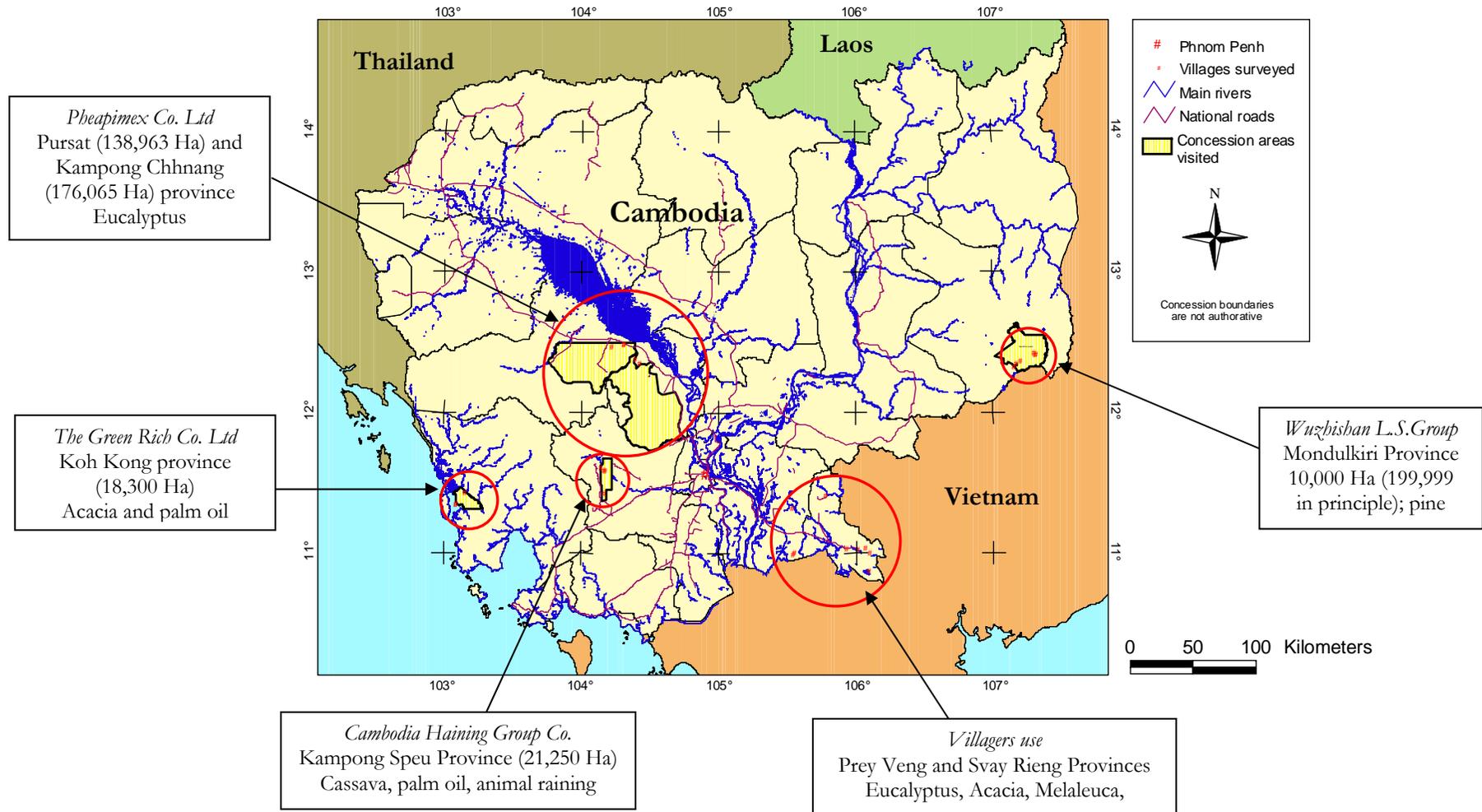


Table 4.1: Key characteristics of economic concessions visited

Concession location (province)	Concessionaire/ shareholder/ approval date *	Area of concession (Ha)/purpose *	Key notes of the concession
Koh Kong province	The Green Rich Co. Ltd/ 100% Taiwan/ 25.11.98	18,300/ Acacia and palm oil	<ul style="list-style-type: none"> • Located almost entirely in Botum Sakor NP • Comparatively sparsely populated region • Concession covered in primary forest growth, namely, melaleuca, mangrove and evergreen • Company has commenced clearing around 3,000 Ha of forested land • Company presently fighting a lawsuit by the RGC over unauthorized clearance activities in absence of approved EIA • Currently inactive
Kampong Speu province	Cambodia Haining Group Co./ 100% China/ 23.7.98	21,250/ Cassava, palm oil, and animal raising	<ul style="list-style-type: none"> • Deciduous forest with wet-season rice fields • Company began clearing in June 2002, but local villager opposition forced to halt • To-date, company has cleared 5-6 Ha of land and planted castor oil • Since July 2002 further expansion of concession area has ceased • Currently inactive
Pursat province and Kampong Chhnang province	Pheapimex Co. Ltd/ n.a./ 8.1.00	Pursat 138,963, Kampong Chhnang 176,065/ Eucalyptus	<ul style="list-style-type: none"> • Area is mixture of deciduous forest, pine forest, wood/shrub land and agricultural land • Concession is largest granted in Cambodia; company plans major pulp and paper mill • Attempts to commence clearing by company in 2001 were halted by major local protest • 2004, company restarted clearing, initiating local opposition leading to grenade attack on sleeping protestors in Nov: no arrests • Work at concession ceased in Jan 2005, when Chinese foremen were apparently transferred to Wuzhishan in Mondolkiri province • Future plans for concession are not known • Currently inactive
Mondolkiri province	Wuzhishan LS Group	199,999 (approved 10,000)/ Pine tree	<ul style="list-style-type: none"> • Gently rolling grassy hills with mixed-deciduous dry forest in the valleys • Most affected villagers are indigenous Phnong ethnicity • Company established pine tree nursery in June 2004, and began extensive clearing and planting activity in Sept 2004 • Between Sept 2004 and Jan 2005, company sprayed grasslands with glyphosate: alleged impacts on human health and livestock • Major protests since June 2005,

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			<p>requiring formation of inter-ministerial commission; dispute remains unresolved</p> <ul style="list-style-type: none"> ● Currently inactive
<p>Prey Veng province and Svay Rieng province</p>	<p>Local villagers</p>	<p>n.a.</p>	<ul style="list-style-type: none"> ● Land deforested a long time ago ● Primarily area of wet-season rice production ● Villagers grow acacia, eucalyptus and melaleuca trees between their rice fields

* Company name and concession area as reported in UNCOHCHR, 2004.

** All contracts held with MAFF.

Table 4.2: Locations and date of fieldwork

Province*	Location			Date	Number of households**	Number of people**	Household interviews	Total interviews	Facilitator
	District*	Commune*	Village*						
Koh Kong	Kaoh Kong	Trapeang Rung	Koh Kong Knong	27.9.04	31	155	8	67	Mr Nhol Thoun (Botum Sakor NP, Department of Protected Area)
	Kaoh Kong	Chrouy Pras	Chrouy Pras	28.9.04	129	633	37		
	Kaoh Kong	Chrouy Pras	Thmey village	28.9.04	183	913	22		
Prey Veng	Kampong Trabaek	Cham	Veal	22.11.04	93	432	8	58	Mr Ma Sotha, Director of Plantation Office, Forestry Administration Mr Kao Sokphat, Plantation Officer of Plantation Office, Phnom Penh (Prey Veng/Svay Rieng) Mr Pha Kimcheang, District Director of FA, Svay Rieng
	Kampong Trabaek	Cham	Pichrath	22.11.04	216	997	1		
	Me Sang	Chi Phok	Veng	24.11.04	316	1485	14		
Svay Rieng	Chantrea	Chantrea	Saenta	23.11.04	106	651	12		
	Svay Teab	Chrak Mtes	Prevphdao	23.11.04	155	828	6		
	Svay Teab	Kandieng Reay	Leap	23.11.04	176	810	5		
	Chantrea	Bati	Tapeng Thloy	23.11.04	221	1223	1		
Romeas Haek	Kampong Trach	Kampong Trach	24.11.04	421	2046	5			
Chantrea	Prey Angkunh	Kouk Lvieng	24.11.04	309	1577	5			
Romeas Haek	Kampong Trach	Development	24.11.04	n.a	n.a	1			
Kampong Speu	Oral	Reaksmei Sameakki	Opdouv	30.12.04	37	170	22	81	Mr Um Sokroecun (Lutheran World Federation)
	Oral	Reaksmei Sameakki	Peamros	30.12.04	25	129	24		
	Oral	Reaksmei Sameakki	Samki	30.12.04	21	105	17		
	Phnum Sruoch	Krang Dei Vay	Dong	31.12.04	102	523	18		
Pursat	Krakor	Kbal Trach	Kralan	3.2.05	112	594	16	77	Ms Penh Art (INGO, Action for Environment and Community, AEC)
	Krakor	Ansar Chambak	Khasach Lait	4.2.05	299	1463	16		
	Krakor	Ansar Chambak	Prech Vihear Loung	4.2.05			12		
Kampong Chhnang	Baribour	Pech Changvar	Thnal	5.2.05	64	356	13	86	Mr Chhet Sophal, Provincial Department of Environment
	Baribour	Anhchanh Rung	Anhchanh Rung	5.2.05	221	1048	20		
Mondolkiri ***	Ou Reang	Sen Monorom	Pu Hieb****	22-23.3.05	98	365	16		
			Pu Tu	22-23.3.05	27	197	2		
			Pu Reang	22-24.3.05	35	250	23		
		Dak Dam	Pu Roles	23-24.3.05	67	339	26		
			Pu Chhob	23-24.3.05	41	271	15		
Pu Antreng	23-24.3.05	66	397	4					

* Names correct according to www.nis.gov.uk.

** According to 1998 Census, National Institute of Statistics, Ministry of Planning (2000).

*** Meetings were also held with the Provincial Governor (25.3.05), Director of Provincial Administration (22.3.05), and the Director and Deputy Director of the Provincial Department of Environment (24.3.05). Focus groups were held in Sen Monorom (22.3.05) and Dak Dam Communes (24.3.05).

**** Written as Pu Ham in UNCOHCHR report (2005a)

5. Findings: Green Rich Co. Ltd, Koh Kong Province

Green Rich Co. Ltd's 18,300 Ha concession is located almost wholly inside Botum Sakor National Park, in contravention of the 2001 Land Law. The concession size also exceeds the 10,000 Ha upper limit stipulated in the Land Law. The company began its activities on the ground in April 2004. In May 2004, the company was found to be holding workers under conditions of indentured labor, necessitating their rescue by the police and NGOs. Owing to repeated disregard of orders by the RGC to stop cutting forest until it complied with the relevant laws, including submitting an EIA, the company is now subject to a US\$1 million court case raised in January 2005 by the Ministry of Environment.

5.1 Introduction

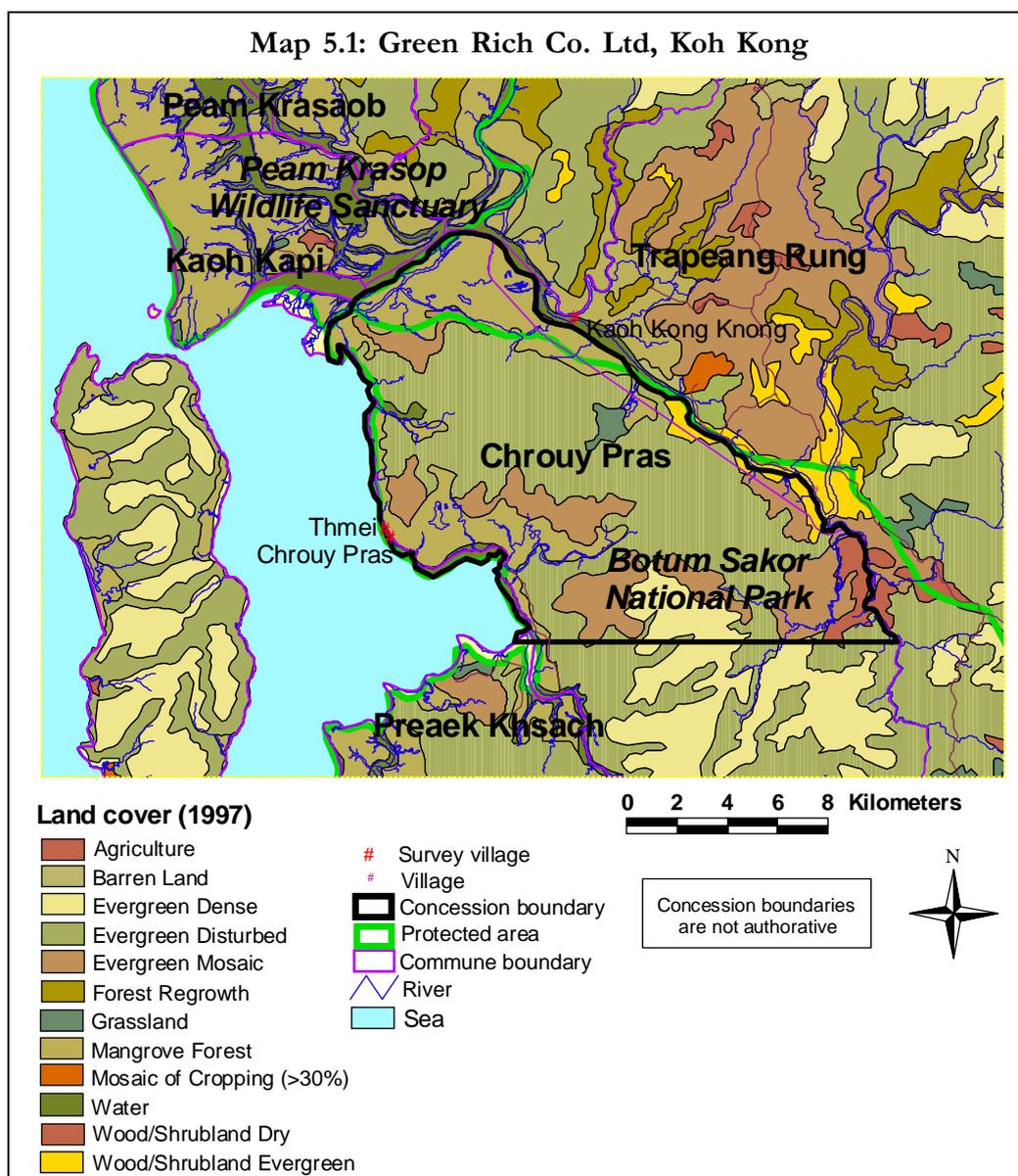
5.1.1 Background to the area

Koh Kong province, located in southwest Cambodia, is relatively scarcely populated: a total of 132,106 people according to Cambodia's 1998 Census (Ministry of Planning, 2000). Stretching from the coast and rising to the Cardamom Mountains, mainly primary evergreen-mixed forest covers the area, although large areas were previously logging concessions and, therefore, in some areas are exploited (McKenney and Tola, 2002). Mangrove forests cover large portions of the Koh Kong province coastline and provide rich spawning grounds for fish. There are five protected areas, fully or partially located in Koh Kong province, namely: Botum Sakor, Peam Krasop; Phnom Samkos; Kirirom; Bokor; and Dong Peng.

5.1.2 Background to the plantation development

On 25 November 1998, the Green Rich Co. Ltd was granted a 60,200 Ha concession in Koh Kong province to grow palm oil and acacia. The concession was formed of seven discontinuous plots, for a contract period of 70 years (UNCOHCHR, 2004). The concession infringed upon three protected areas (Botum Sakor National Park, Peam Krasop Wildlife Sanctuary and Dong Peng Multiple Use Area). In June 2003, following no activity on the ground by the company, the concession area was significantly reduced to 18,300 Ha by the Council of Ministers of the RGC (WildAid, 2004). The economic concession, however, remains almost wholly located within one protected area, Botum Sakor National Park, thereby contravening the 1993 Royal Decree on Protected Areas, the 1994 Ministerial Decision on Protected Areas, and the 2001 Land Law. The concession area also still borders the Peam Krasop wildlife sanctuary. The RGC, however, has argued that the operation is in a buffer zone that has poor forest, unused fields and poor soil (Reynolds, 25.4.04). The concession area remains in excess of the 10,000 Ha threshold stipulated in the 2001 Land Law.

The Green Rich Co. Ltd commenced activities on the ground in April 2004, when 50 laborers began clearing mangrove forest along the Khlang River within the northern part of Botum Sakor National Park, despite lacking all the legally required permits (WildAid, 2004). The company reportedly planned to export the cleared mangrove to a paper mill (Reynolds, 26.4.04). Global Witness reported that several hundred Ha of melaleuca forest had been loaded into containers ready for export, and that the company had commenced logging the evergreen forest (Global Witness, 9.7.04). At the time, no EIA or management plan, as stipulated to be necessary by the 2001 Land Law, was submitted to the authorities. The company also began preparations for building a road through the forest, necessitating the clearance of primary evergreen forest, to construct a chippings factory. It also began tilling a 600m² plot for planting acacia and eucalyptus seedlings.



On 13 May 2004, the Minister of the Environment, H.E. Mok Mareth, ordered the suspension of Green Rich Co. Ltd's operation pending the submission and approval of an EIA. The NGOs Global Witness and WildAid, however, reported that, despite this order, the company's activities continued (Reynolds, 7.7.04; Reynolds, 3.9.04). In August 2004, the company submitted an EIA to the MoE, which was placed under Ministerial Review. By this time, however, workers had already cleared around 3,000 Ha of forest and begun establishing the infrastructure necessary for the establishment of acacia and eucalyptus plantation (Reynolds, 3.9.04). The Ministry of Environment authorized planting on 18 August 2004 (WildAid, 2004)

In May 2004, the company stood accused of human rights abuses. Working conditions of its employees were revealed and described as 'indentured labor', with employees prevented from leaving the work area by armed security forces hired by the company (WildAid, 2004). The company had 300 workers, recruited mainly from Kampot province. Through travel costs to Koh Kong province and subsequent food expenses, these workers had accumulated large amounts of debt; they were not allowed to leave the worksite until they had paid off this debt through labor. There were reports of deplorable

living and working conditions, in particular no adequate food supply or access to medical facilities. These reports led human rights workers and police to rescue workers from the concession area (Hamilton, 13.1.05; Global Witness, 9.7.04).



Photograph 1: A view towards Botum Sakor National Park from Thmey village, Chrouy Pras commune. In the foreground are villagers' rice fields previously cleared from the forest, and in the background the protected forests of the national park.

In August 2004, it came to light that a new company, Green Elite Co. Ltd, had submitted a request to MAFF on 9 April of that year for permission to establish a 300,000 Ha acacia and eucalyptus concession in Koh Kong province (Reynolds, 15.9.04). It was also discovered that Green Elite Co. Ltd and Green Rich Co. Ltd shared the same office in Phnom Penh and were represented by the same businessman. Later, it was revealed that Green Rich Co. Ltd had allegedly gone bankrupt, selling the concession to Green Elite Co. Ltd at the beginning of 2004, thus giving Green Elite Co. Ltd a foothold in Koh Kong province.

Staff at the Green Elite/Green Rich office, contacted by a journalist, stated that their office had links to PT Arara Abadi, an Indonesian forestry group which provides paper to Asia Pulp and Paper (APP) Company. Both Arara Abadi and APP are controlled by Sinar Mas Group, one of Indonesia's largest conglomerates, which has land concessions and paper mills in many countries including Indonesia, India and China. An APP spokesman acknowledged to a *Cambodia Daily* reporter that Green Rich Co. Ltd and Green Elite Co. Ltd were related to APP through common shareholders (Berthiaume and Samean, 5.1.05). However, APP's Director of Sustainability and Stakeholder Engagement maintained that APP did not entirely control Green Elite. APP possesses a notorious environmental and social record. For example, in Indonesia the company is accused of using illegally sourced timber from rain forests to feed its pulp and paper mills (Matthew, 2001). More recently, APP have been accused of the same crimes in Yunnan province, China. This would appear to be the company's standard mode of operation – apparently driven by its colossal debts, standing at US\$13.9 billion in March 2001, that continue to place the company on the verge of bankruptcy (Greenpeace, 2004).

In 10 January 2005, the MoE announced that it would take Green Rich Co. Ltd to court for continuing to clear-cut forest despite not having received approval for their EIA (Hamilton, 31.12.04 – 13.1.05). The case related to Article 4 of the Forestry Law, which states 'an Environmental and Social Impact Assessment shall be prepared for any major forest ecosystem related activity that may cause adverse impact on society and environment.' Koh Kong Provincial Court received the court complaint on 10 January 2005. The main issues were that Green Rich had constructed a road inside the land concession without permission and cut forest outside the border of the concession area (Samean and Berthiaume, 13.1.05). MoE raised a claim against Green Elite Co. Ltd for US\$1 million in damages.

A major setback to the lawsuit was reported on 18 March 2005, when Koh Kong Provincial Court heard from a lawyer representing Green Elite Co. Ltd that the company's chairman had been incorrectly identified in the lawsuit. The company's former chairman, Mr Nhean Chou, was named instead of the company's present chairman, Mr Paul Yu (Naren and Berthiaume, 21.3.05). The Chief Prosecutor said that a new lawsuit would have to be filed. According to WildAid (Personal Communication 6.9.05), following the confusion over ownership the judge invited Mr Nhean Chou to explain the contract arrangements. In late May 2005, four new names were put forward, identified from records from the Ministry of Commerce. The case will be heard on 22 September 2005.

Green Elite Co. Ltd stopped its destructive activities at the time the lawsuit was issued. Between June and December 2004, however, the company had cleared about 300 Ha of natural forest and logged about 6,000 cubic meters of melaleuca trees (WildAid, Personal Communication, 12.5.05).

5.1.3 Description of the villages visited

In total, three villages close to the concession area were visited in Koh Kong province. All villages are accessible only by boat.

The first, Koh Kong Knong (KKK) village, Trapeang Rung commune, Kaoh Kong district, is a comparatively small settlement of approximately 30 families, located on the Khlang Ye River opposite the company's field headquarters. Villagers were very aware of the company and its activities. Where the company had not already been cleared, the forest within the vicinity of the company headquarters appeared to be in good condition (according to the EFCT's observation). The majority of households interviewed (75%) had lived in the village either all their life or for over 20 years. 88% of those interviewed intended to stay in the village: for some it was their homeland; others said it was easy to make a living there.

The second and third villages visited were Chrouy Pras (CP) and Thmey (TY) villages, located in Chrouy Pras commune, Kaoh Kong district on the Koh Kong province coastline. These are larger settlements, with a combined population of 312 families, and are essentially adjoined (NIS, 1999). The village begins very close to the shoreline, with stilted houses where most people are fishers. Further inland, the villagers have in the past cleared forest and now grow rice. The settlement is located within Botum Sakor National Park, and is under the management of the Ministry of Environment, with support from the international NGO WildAid. In both villages, there was less familiarity with the plantation development. Some interviewees were completely unaware, despite the fact that the planned concession area extends right up to the boundary of the village.

In CP village, 62% of those interviewed had lived there for less than 10 years; the remainder had lived there longer than 10 years. Of those interviewed, 51% intended to stay in the village, 38% intended to leave, and 11% did not know. In TY village, 50% of those interviewed had lived there for less than 10 years; the remainder had lived there longer than 10 years. Of those interviewed, 68% intended to stay in the village and 32% intended to leave. Reasons given for wanting to stay included: the ready availability of land and work; the fact that for some it is their homeland; and ease of making a living. Reasons for wanting to leave included the lack of availability of land or work, and difficulties in making a living in the village. Villagers had typically moved to CP and TY because there was land available in the area as well as fishery resources, or because they

had no land in their homeland. Some people were relocated as a part of a government program in the 1980s to populate Koh Kong province.

At present the company's actions have been comparatively limited in scope in the close vicinity of CP and TY villages. Hence, particularly for CP and TY, the survey aimed to identify both the present and potential future impacts on the villagers' livelihoods.

5.2 Livelihood

5.2.1 Present occupation

Villagers in KKK conducted multiple livelihood activities: 88% fished, earning around US\$13/month; 38% grew rice, mainly at a subsistence level (one family said they earned around US\$55/year); and 38% fished for crab, earning around US\$25/month. 50% of households interviewed received occasional employment with the company. Apart from this employment, the interviewees' livelihood strategies had not changed as a result of the arrival of the plantation.

In CP and TY, there was a greater diversity of livelihood strategies, reflecting the significantly larger size of the villages: 63% fished, earning between US\$17 and US\$225/month; 39% farmed, mostly at a subsistence level; 24% conducted crab fishing, earning between US\$30 and US\$75/month; 14% worked with the local authorities as police or government staff, earning around US\$25/month; and 20% were traders, earning between US\$35 and US\$150/month. A small number of interviewees (7%) had been employed by the company to peel the bark from melaleuca trees – the only notable change in livelihood strategy to-date.

5.2.2 Food security and debt

In KKK, 88% of those interviewed said that they had enough food to eat and the remainder said they did not. In CP and TY, 59% said they had enough food to eat, 31% said they did not and the remainder was not sure.

Regarding debt, 38% of villagers in KKK said they had debt and the remainder said they did not. In CP and TY, 54% said they had debt, 36% said they did not, and the remainder did not provide an answer. Typically, the households interviewed were in debt which originated from buying fishing gear, repairing boats and buying food; they borrowed money from richer employers, market sellers and relatives.

5.3 Impact on the environment and livelihood

5.3.1 Fisheries

All fishers in KKK thought there had been a decline in the quantity of fish in the last few years. Reasons given for fewer fish included illegal fishing activity, an increase in the number of people fishing, and clearance of forest where the fish spawn.

In CP and TY villages, almost all fishers (92%) thought that fish stocks had decreased, and none thought they had increased over the last few years. This was, however, not attributed to the plantation activities, but rather to illegal fishing activities, the arrival of big fishing companies (including the presence of fishing trawlers from Thailand and Vietnam for marine fishing), and a loss of mangrove forest. One villager from KKK and

two villagers from CP said that resin from the peeling of melaleuca tree bark had polluted some local water courses and affected fish stocks.



Photograph 2: The fishing communities of Chrouy Pras village, Chrouy Pras commune, living in stilted houses along the shoreline.

5.3.2 Non-timber forest products

In KKK, 75% of people said that they collected NTFPs before the plantation was established, and 88% of people said they currently collected NTFPs. People mainly collected firewood,⁹ and nobody interviewed derived a notable income from the collection of NTFPs. No interviewees, while collecting NTFP, had been threatened by company guards.¹⁰

In CP and TY village, 36% collected NTFPs before the plantation was established and, of these, 57% said they had been threatened, although this was identified to be exclusively by the local authorities. 14% of people said that they currently collected NTFPs. Of those who had stopped collecting NTFPs, 31% said that this was because the company had prevented them accessing the forest. The remainder did not provide an explanation. Very few households said they derived a direct daily income from NTFPs collection; one household said they collected bamboo from a nearby island, earning around US\$2/day, and one household earned around US\$2/day collecting forest fruits and resin.

5.3.3 Timber

88% of villagers from KKK said that they had access to enough timber before the company arrived, compared with only 25% currently. Asked why, one person identified the company as not letting them cut the forest; the remainder said that the NGO WildAid would not let them cut the forest.

In CP and TY villages, 54% of people interviewed said they had access to enough timber before the company arrived, compared with 24% currently. 59% of those who said there was not currently enough timber identified this shortage with the WildAid's activities in the area, although two interviewees noted that if they paid some money to local officials they could cut down trees. Two interviewees said that access to timber had got more

⁹ Here, firewood, although 'wood', is considered a NTFP, as it is not used for construction (as timber).

¹⁰ One family said they had been threatened by the Ministry of Environment and WildAid officials

difficult, as they had to travel a long way to find trees to cut. Two interviewees from CP wanted to know why the Ministry of Environment and the company were allowed to cut down trees, and they were not.

5.3.4 Wildlife

In KKK, 75% of interviewees thought that since the company had arrived wildlife had become less common; the remainder was not sure. Interviewees thought that there had been a recent decrease in wildlife because of forest clearance and because the company's activities had scared away the animals.

In CP and TY, 58% of villagers interviewed thought that wildlife had become less common, 2% thought it had not changed, and the remainder was not sure. Villagers from CP and TY blamed the decrease in wildlife mainly on illegal logging activities and poaching activities in the area.

Overall, 7% of people thought there was more hunting nowadays, 46% thought hunting had decreased, 3% thought the level of hunting had not changed, and the remainder was not sure. There may be less hunting nowadays because of WildAid's activities, which prohibit the cutting of the forest and hunting for wildlife within the national park.

5.3.5 Access to resources

Table 5.1 summarizes villagers' understanding of whether they were permitted to access the company area for various activities associated with the forest as a resource. Many people were unclear whether they were permitted to access the area or not, most notably in CP and TY; this may be because people are less familiar with the company's presence, as well as the fact that their livelihoods are more dependent on fishing and farming than on using the forest's resources.

Table 5.1: Ability to access resources within the plantation area (%)

	Can access			Cannot access			Not sure		
	KKK	CP	TY	KKK	CP	TY	KKK	CP	TY
Wildlife hunting	37	5	0	26	19	27	37	76	73
NTFP collection	50	0	5	0	19	18	50	81	77
Travel	62	8	22	0	14	14	38	78	64
Water resources	50	8	14	0	11	18	50	81	68

5.4 Employment on the plantation

Of those interviewed from KKK village, 38% of households had had family members employed on the plantation, mainly planting seedlings in the nursery and collecting branches to put into piles. For planting small trees, one household reported that two members of their family were paid US\$3.75/day, working 10 hours/day. The company employed them for two months. For collecting branches, another interviewee said they were paid US\$1.75 for five days work, and had received only one week's work.



Photograph 3: The river bank of the Khlang Ye River opposite Koh Kong Knong village, Trapeang Rung commune. The undisturbed trees along the riverbank hide the company's activities within the

In CP and TY, only 7% of those interviewed had worked on the plantation, and this has been on an occasional basis. Peeling the bark of melaleuca trees earned between US\$1.25 and US\$2/day for an eight to nine hour working day. Clearing trees earned between US\$1.25 and US\$2.50/m³; the family that reported this had worked for 15 days in August 2004 when the company should have been inactive, pending the approval of an EIA.

Villagers from KKK, who have more direct contact with the company and its activities, said that the company had employed people to cut the forest; when the company sees the NGO WildAid nearby they ask the workers to run away and return later. The company provides no guarantee for the workers. If caught when cutting the forest, the workers must say they are villagers and take responsibility for the action themselves.

When the company hires the workers as forest cutters and in other jobs, the company provides food, water, tools (saws) and mosquito nets, according to villagers from KKK. However, the company takes the cost for the goods provided from the workers' salary. Interviewees also said that the company did not provide enough drinking water and that they had to drink water from the forest, often polluted through logging activities. Some workers have had skin complaints, which they say is from drinking polluted water.

Table 5.2 presents villagers' perception of the ease of getting work on the plantation. A far greater proportion of people in CP and TY were not sure, reflecting their reduced contact with the company and its activities.

Table 5.2: Ease of access to employment on the plantation (%)

	Very difficult	Difficult	Possible	Easy	Very easy	Not sure
KKK	0	13	0	0	62	25
CP	0	0	0	5	19	76
TY	0	0	9	14	23	54

Three people in KKK said that their children had helped plant small trees and collect branches. One person in CP said that children helped peel bark, although it was up to the children whether they helped or not.

5.5 Resettlement and loss of assets

Nobody reported having been resettled because of the plantation. One person in KKK said they had lost 200m² of land when the company arrived; this was not a problem because he received seven Ha of new land of equivalent quality. Three people in TY said they had lost land to the plantation: two villagers had lost one Ha of land and had received no new land or monetary compensation, and were not happy; one person lost two Ha of land, but received two Ha of new land. The Chrouy Pras Commune Chief reported that, in total, the company had claimed 30 Ha of CP and TY's rice land.

5.6 Perceived relationship: company, authorities and villagers

Table 5.3 presents the relationship between the local authorities, the company and the community according to the villagers' perceptions. In KKK, over half the villagers considered there to be a 'good' to 'okay' relationship among all three parties. In CP and TY, most interviewees were unsure about the relationship between the three parties.

Table 5.3: Relationship: communities, authorities and the company by village (%)

	Very good	Good	Okay	Bad	Very bad	Don't know
KKK						
Authority/company	0	26	37	0	0	37
Authority/community	0	26	37	0	0	37
Community/company	0	13	50	0	0	37
CP and TY						
Authority/company	0	0	8	7	0	85
Authority/community	0	2	22	5	0	71
Community/company	0	2	10	10	0	78

5.7 Summary

Overall, 63% of people interviewed in KKK were happy that the plantation company had arrived, 25% were not happy, and the remainder was not sure. Interviewed villagers said they were happy because the company provided them with work, although one person also pointed out that they did not like the forest being cut and another was cautious, saying that it was good as long as they provided employment in the long term. In KKK, the villagers said that the company had also promised to provide a teacher for the community, although at the time of the field visit that had not yet occurred.

In CP and TY, despite their limited experience with the company, 68% were not happy with the company's activities (including the Commune Chief), mainly because of the company's destruction of the forest and its impacts on their family's future livelihoods. 8% supported the company's arrival because of the prospect of employment, and the remainder was not sure.

Fishing is a principal livelihood activity for all communities interviewed. Fish stocks were already noted to be in serious decline. Agrochemical and soil erosion pollution, which would certainly accompany the development of the plantation, would compound the escalating destruction of fish spawning grounds. This is a serious potential consequence of the plantation's development: the collapse of fish stocks in the area would be

devastating for local communities. In addition, the loss of access to NTFPs, although not an important income-generating activity, would affect families' day-to-day living.

Currently, there is limited awareness among villagers regarding the plantation development in CP and TY; this demonstrates that the plantation has been developed in a non-consultative way. There was no consultation with communities as to whether they wanted the plantation to be established or not. It seems at least possible that the loss of the forest and the potential decline of the fisheries, together with a lack of guarantee of employment, would most likely result in greater dissatisfaction with the proposed development if information regarding this were more widespread.

The forest within the national park is well protected by WildAid, with the obvious exception of the areas that the company has begun clearing. Botum Sakor National Park is an ecologically valuable resource, and its partial clearance for the establishment of a plantation would be a loss to Cambodia, both from a conservation perspective and in terms of the park's ecological and hydrological functions. Green Elite Co. Ltd has clearly demonstrated a disregard for Cambodian law, as well as for the wellbeing of its workforce – whose rights were severely violated in April/May 2004. The company's alleged affiliation with APP, a company well known for its exploitation of virgin forest for paper mills, should act as a timely warning of the damage that could result from the development of this plantation.

6. Findings: Cambodia Haining Group Co., Kampong Speu Province

Presently inactive having developed only six Ha of land for cassava production in 2002, Cambodia Haining Group Co. was granted a 21,250 Ha concession in Oral and Phnum Sruoch districts, Kampong Speu province. There was no consultation by the company with the villagers, and for the short time that they were actively preparing the area, few local villagers gained employment. If the plantation were to be established, many villagers would lose their rice fields, as well as access to common wood to make charcoal, an important source of income and a safety net when crops fail. The concession undermines the development work of the international NGO Lutheran World Federation, which has been active in the area since 1997.

6.1 Introduction

6.1.1 Background to area

Kampong Speu is located west of Phnom Penh in southwest Cambodia. A mixture of wet-season rice production and deciduous forest characterizes the area. The Oral¹¹ Wildlife Sanctuary (253,750 Ha), a protected area, is partially located in the west of the province in the Cardamom Mountains – to the north of the villages visited and the concession. The international NGO Lutheran World Federation has worked in the area since 1997, although their activities have been affected by the arrival of Cambodia Haining Group Co (from hereon referred to as Haining).

A district road runs through Phnum Sruoch and Oral districts, within which Haining's concession is located. This connects with National Road #4, which runs between Phnom Penh and Sihanoukville.¹² The benefits of this infrastructure make both land speculation and agro-industrial investment in the area attractive.

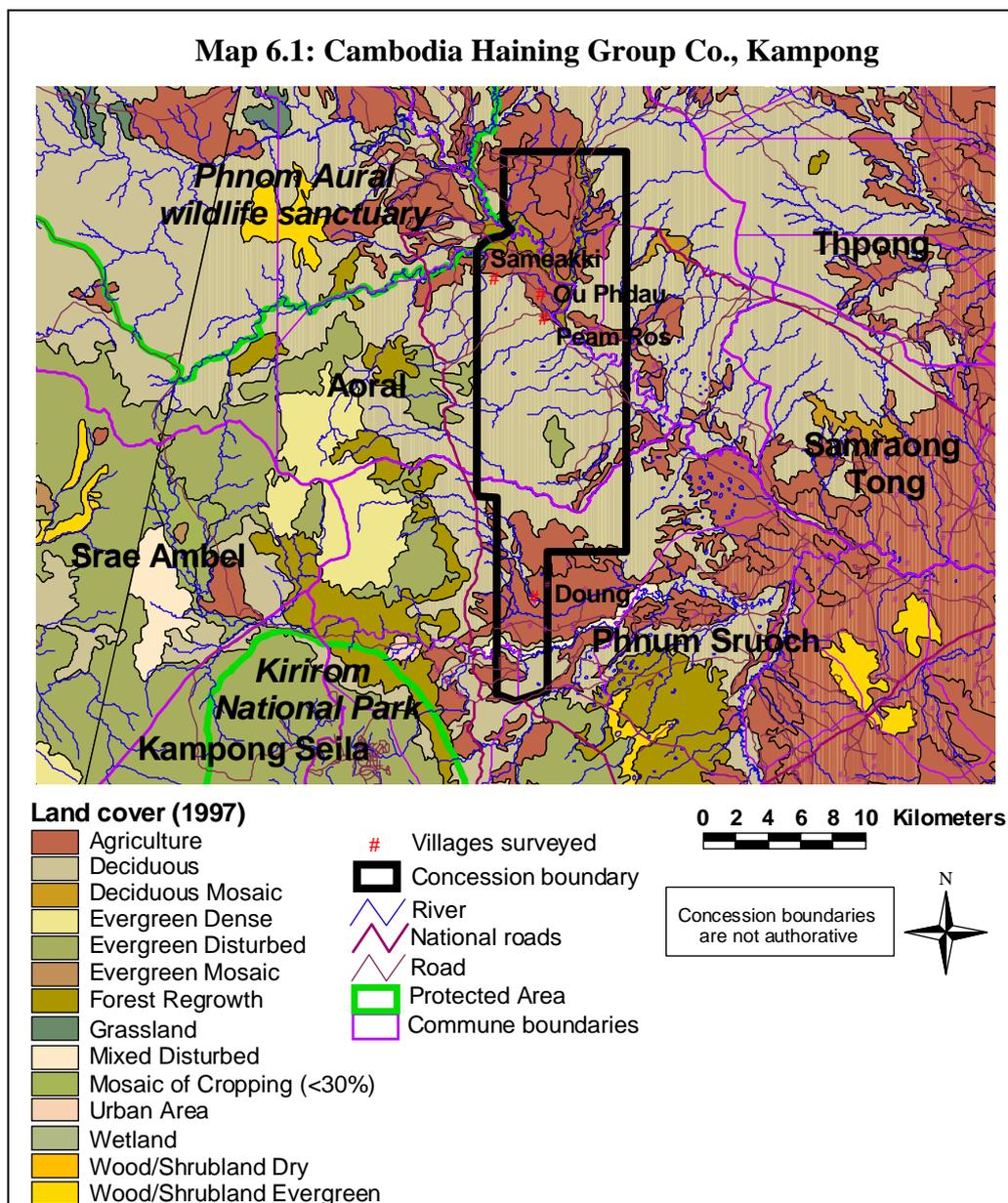
During the 1980s and up until the mid-1990s, there was intense fighting between government and Khmer Rouge troops in the area where the concession is now designated; villagers settled close to the national road seeking security. Following the Khmer Rouge troops' defection to the government in 1996, many former KR soldiers began to settle the area. Later on, households from Takeo, Battambang and elsewhere also began to arrive in the area seeking land to settle.

6.1.2 Background to plantation development

26 companies are known to have been granted 28 concessions, covering 240,850 Ha of Kampong Speu province; of these, 24 concessions are in Phnum Sruoch district (UNCOHCHR, 2004). Kampong Speu province has the greatest total number of individual concessions within Cambodia by far. Haining's concession was granted on 23 July 1998, for a total of 70 years. The total concession area is 21,250 Ha, and is located in Oral district and Phnum Sruoch district. The stated purpose of the plantation is cassava, acacia and palm oil production, together with animal breeding and raising. The concession area granted adjoins the Oral Wildlife Sanctuary in the northwestern corner of the province.

11 Also spelt as Oral and Aural.

12 Sihanoukville is Cambodia's major port



According to a Lutheran World Federation (LWF) presentation made in June 2002, the land concession would affect 26 villages located in four communes, namely: Reaksmei Sameakki; Krang Dei Vay; Haong Samnam; and Sangkae Satob. The affected area has a population of 8,529 (1,727 families), and includes 2,551 Ha of arable land. Haining began clearing the forest in 2002. However, protests raised by local villagers forced the company to cease its activities, and it has been inactive ever since. The international NGO Global Witness supported the villagers' response with a report in July 2002 documenting illegal logging activity and highlighting the danger of castor oil plantations on local people's health. At present, the Haining concession is inactive; it is unclear what the company's plans are.

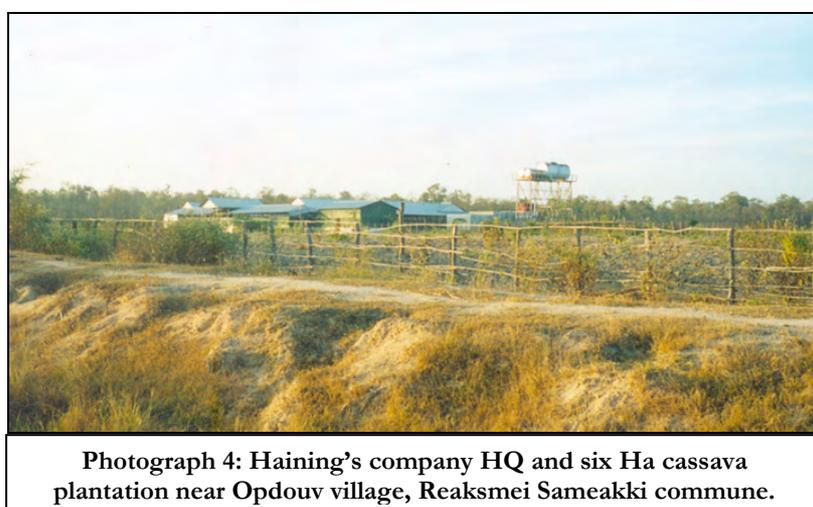
LWF reported the planting of five to six Ha with castor oil, the construction of an office and importation of heavy equipment, installation of a sawmill, and the construction of a private road from the LWF road in Reaksmei Sameakki commune, Oral district to the LWF road in Krang Dei Vay commune, Phnum Sruoch district. The company has in the

past attempted to ban villagers from using agricultural land and forest resources within the concession. At present, however, no villagers have lost their land.

6.1.3 Description of the villages visited

Four villages were visited in the concession area, namely: Opdouv village, Peamros village and Samki village, in Reaksmei Sameakki commune, Oral district; and Dong village, Krang Dei Vay commune, Phnum Sruoch district. The villages have a similar means of livelihood; as such, the results of the investigation are presented together.

Approximately half of those interviewed had lived in the village all of their lives (48%). 46% had lived in the village for less than 10 years, and the remainder had lived in the village for between 10 and 25 years. Villagers lived in the area because: it was their homeland; they had family links; there was a lack of land in their previous area; or they thought there were good business opportunities in the area. As noted above, however, there has been significant migration from and to the area over the past three decades.



Photograph 4: Haining's company HQ and six Ha cassava plantation near Opdouv village, Reaksmei Sameakki commune.

Asked if they intended to stay, 74% said yes, 19% said no, and the remainder was not sure. Many people did not want to move because the area was their homeland and because they thought it was reasonably easy to make a living by growing rice and collecting wood from the forest to make charcoal, which they then sell at the roadside. Reasons people wanted to leave were: they wanted to return to their homeland or there was not enough land available in the village.

6.2 Livelihood

6.2.1 Present occupation

88% of households interviewed grew rice. Farming families typically owned between one and three Ha of rice field, and also conducted animal raising (chickens, cows and pigs). Some farming families grew rice only at a subsistence level; others were able to generate an income on top of this of between US\$15 and US\$25/month.

In order to supplement their income, 54% of households interviewed were involved in charcoal making, either collecting wood or cutting it (only two households interviewed

undertook charcoal production without also farming).¹³ Charcoal makers said they earned between US\$15/month and US\$25/month, although some people reported as low as US\$8.75/month or as high as US\$50/month. Many families have motorbikes with trailers (*kojum*), used mainly for transporting wood from the forest and water.



Photograph 5: A charcoal oven used for converting common grade wood, collected in the forest, into charcoal.

Other types of livelihood activity included making noodles (two households; US\$30/month), employment as police (one household; US\$18.75/month), making textiles (one household; US\$12.50 to US\$15/month), or operating a small rice mill (one household; US\$37.50/month).

In Dong and Samki villages, people said that their occupation had not changed because of the company's activities. However, 30% of those interviewed in Opdouv and Peamros villages said that the company had affected their occupation: now they had to travel further to collect wood to make charcoal, and as a result earned less income. One person said that now they had to pay guards to go and cut wood within the company's area. Another said that when they collected wood from within the company's area, the company was angry. One villager told the EFCT researchers that in 2001, six cows from Opdouv village had died because they ate cassava that the company had planted.¹⁴

6.2.2 Food security and debt

Of the households interviewed, 54% said that they had enough food to eat, 42% said they did not, and 4% were not sure. Villagers said that this year there had been drought in the area (2004-5), leading to crop failure.

Asked about debt, 15% of villagers said they had debt, 68% did not, and the remainder did not answer. Those interviewed were mostly in debt to buy food for their family. Some also had borrowed to buy a koyun.

13 In some areas, soil quality and access to water is poor, making farming difficult.

14 Cassava is a tropical, starchy staple crop of South American origin. Cassava contains toxic chemicals in its roots that act as a natural protection mechanism against herbivores, known as cyanogenic glycosides, and has commonly been associated with cases of both human and animal food poisoning in regions of the world where it is commonly grown. Simple processing techniques are able to remove these poisons, making the crop suitable for human consumption.

6.3 Impact on the environment and livelihood

6.3.1 Fisheries

A secondary occupation of 40% of villagers is fishing in the local water courses. Since the company arrived, 82% of villagers thought that the availability of fish had decreased; 1% thought the amount was around the same. The remainder was not sure. According to the villagers, the decrease in fish is not a result of the company's activities. Villagers blamed illegal fishing practices, including use of bigger nets, grenades and electric gears, as well as more people fishing in the area. According to the survey, 58% of villagers fished before the plantation was established.

6.3.2 Access to water resources

According to the villagers interviewed, 11% said the company's activities had affected their access to water resources, whereas 53% said they had not; the remainder was not sure. Five interviewees from Opdouv village said that the company had built a fence across a path along which people had previously traveled to collect their water, necessitating a change in water collection location.

6.3.3 Non-timber forest products

There has been an overall decrease in the number of families collecting NTFPs since the company established its concession, notably in Opdouv and Samki village (Table 6.1). 38% of villagers said they had to travel further to collect NTFPs since the company's arrival; 16% said they did not and the remainder was not sure.

Table 6.1: Collection of non-timber forest products

	Dong village	Opdouv village	Peamros village	Samki village
Collect NTFPs before plantation established (%)	83%	82%	36%	71%
Collect NTFPs now (%)	77%	55%	38%	41%

Almost all villagers who collected NTFPs primarily collected wood, for either charcoal production or cooking at home. With this year's drought and poor rice crop, villagers explained that many in the community were collecting wood to prepare charcoal as a means to supplement the lower income generated from their rice harvests, thus demonstrating the value of NTFPs as a safety net in livelihood security. Table 6.2 presents villagers' perceptions of the availability of low-grade wood, used for making charcoal and as firewood, before the plantation's establishment and currently. All villagers noted a significant decrease in the availability of low-grade wood, a combined result of both resource depletion and the company's activities.¹⁵

Table 6.2: Availability of low-grade wood before and after plantation

Village	Good		Okay		Bad		Not sure	
	Before	Currently	Before	Currently	Before	Currently	Before	Currently
Dong	39	0	28	6	6	56	27	38
Opdouv	18	5	46	9	18	68	18	18
Peamros	58	0	25	8	0	79	17	13
Samki	94	24	0	24	0	41	6	11

A small number of families interviewed collected NTFPs to secure their livelihood other than wood for charcoal. One family in Samki village collected forest fruit and earned

¹⁵ Collecting wood for charcoal collection is, in itself, damaging to the forest if not carefully managed.

US\$18.75/month. Three families collected resin, typically earning between US\$11.25 and US\$48.75/month. Three families in Samki village collected honey, earning between US\$15 and US\$37.50/month. 11%, 10% and 9% of households interviewed also collected traditional medicines, forest fruits and honey for home consumption, respectively.

6.3.4 Timber

Before the plantation was established, 74% said that there was enough timber available; 17% said there was not and the remainder was not sure. 21% said that there was enough timber nowadays, 68% said there was not, and the remainder was not sure. The main reason that people said that there was currently not enough timber was that the company had cut the forest, and would not allow people to access the remaining forest to collect timber.

Two interviewees wanted to know ‘why can local people not cut the forest, while the company is allowed to?’ According to the villagers’ viewpoint, the forest belongs to the local community. Before the company arrived, local authorities did not permit the villagers to take timber from some areas of the forest. Now, the company is allowed to take all of the trees. To some villagers, this seems unfair.



Photograph 6: Forest within the boundary of Peamros village, Reaksmei Sameakki commune, which villagers would like to designate and manage as community forest.

6.3.5 Wildlife

7% of villagers interviewed thought that the amount of wildlife in the area had increased since the company had arrived, 58% thought it had decreased, 7% thought it had not changed, and the remainder was not sure. The main reason suggested for an increase in wildlife was that weapons had been collected in the area and the local authorities had successfully reduced hunting activities. People who thought that wildlife had decreased explained that this owed to an increase in hunting activity, as well as a loss of forest habitat through the logging activities of the company.

6.3.6 Access to resources

Interviewees were asked whether they were permitted to enter the company’s forest to conduct wildlife hunting, collect NTFPs, to travel, or to use water resources (Table 6.3). It was found that many people were not sure whether they were permitted to access the

area or not. In general, more people were certain that they could not access forest resources (Opdouv and Samki village), than that they could (Peamros village)

Some villagers reported that the company had put up signs marking the concession boundary. A woman from Opdouv village recalled how a local woman she knew had once gone into the forest to collect NTFPs in 2001 and met a company guard who fired a warning shot over her head.

Table 6.3: Ability to access resources within the plantation area

	Can access				Cannot access				Not sure			
	D	O	P	S	D	O	P	S	D	O	P	S
Wildlife hunting	0	9	16	6	28	50	42	47	72	41	42	47
NTFPs collection	6	9	29	12	28	59	38	47	66	32	33	41
Travel	22	9	58	35	17	55	17	41	61	36	25	24
Water resources	11	18	58	24	17	41	17	41	72	41	25	35

D = Dong village; O = Opdouv; P = Peamros; S = Samki

6.4 Employment on the plantation

Four households interviewed (5%) had had family members work for the company. Jobs available were cutting trees or as general laborers. They worked for eight hours per day and received a wage of between US\$1 and US\$2/day. One person gained three months' employment and another two weeks; the other two households were not sure. None of the villagers reported that children had worked on the plantation.

It seems that, despite the fact the promise of work for local people before operations commenced, the company went on to bring in outsiders to work for them. Asked how easy it was to get work on the plantation, 9% of interviewees thought it was very difficult; 12% thought it was difficult; and 6% though it was okay. Nobody thought it was easy or very easy; and the remaining 73% did not know how easy it was to get work on the plantation.

According to UNCOHCHR (2004), Haining planned to employ 4,669 workers, although clearly this has not happened to-date.

6.5 Consultation between company and villagers

Asked whether the company had asked them whether they wanted the plantation, 4% said yes, 30% said no and 66% were not sure whether they had been asked or not. In fact, there was no true consultation between the company and the villagers; the local authorities on behalf of the company told the villagers that the company was going to establish a plantation, and did not ask whether the villagers wanted this to happen.

One person from Peamros village said the company had told her that they were coming to help. She said she was not given a choice, however, as to whether she wanted the company to come or not. One person from Samki village said that when the company first arrived it called a meeting with the villagers. At the meeting, the company told them it would help plant cassava on their land that could then be sold back to the company.

6.6 Summary

Overall, 70% of people said they were unhappy with the plantation's establishment, 4% said they were happy, and the remainder was not sure. Those who were happy with the plantation said that they hoped to get employment there. The majority were unhappy because they were to lose their rice fields, the company had destroyed the forest, wildlife had disappeared and, in some cases, they said they had been intimidated by the company guards.

The results of this survey support the conclusions of UNCOHCHR (2004) in that very few local people have been employed by the plantation, therefore negating a stated benefit of the establishment of the concession, namely, that it would generate local employment opportunities.

Haining has met with significant resistance in the past from local villagers in developing the concession, resulting in the postponement of the development. Current plans are unknown. A large number of people in the community stand to lose their rice fields if the plantation is established. Furthermore, access will be lost to common wood to make charcoal, which represents to many an important, if poorly managed, source of income. Access to other NTFPs would also be lost. It is unknown what compensation, if any, will be provided to the villagers in order for them to develop alternative means to livelihood, if the concession were to go ahead. The planting of cassava represents a risk to the health of the local population, as well as to their livestock, which represent an important investment to many of the poorer villagers. The presence of the company has resulted in an insecurity of land tenure among the local population, as well as a climate of intimidation and threat. The plantation also threatens to undermine significant development work and investment in the area by the international NGO Lutheran World Federation.

7. Findings: Pheapimex Co. Ltd, Pursat and Kampong Chhnang Provinces

Pheapimex's vast concession of 315,028 Ha was granted in 2000 in Pursat and Kampong Chhnang province with no consultation with local communities. The company's initial attempts to prepare land for the planting of eucalyptus in 2000 had to be suspended owing to protests by local villagers. Development of the concession will result in the loss of significant areas of rice paddy and forested land, on which villagers are dependent for NTFP collection. Pheapimex renewed its activities in October 2004. A grenade attack on sleeping protestors in November 2004 made international headlines; the perpetrator was never arrested. Local protests led to the cessation of work at the concession in January 2005; plans for the concession are currently unknown.

7.1 Introduction

7.1.1 Background to area

Pursat province extends from the western boarder of Cambodia to the western shoreline of Tonle Sap Lake. Kampong Chhnang province is located almost in the center of Cambodia, just north of Phnom Penh and extending up to the southern end of Tonle Sap Lake, adjoining Pursat province. The Pheapimex concession is characterized by a mixture of deciduous forest, pine forest, wood and shrub land, and agricultural land, typical of eastern Pursat and northwest Kampong Chhnang. Communities in the concession area derive their livelihood primarily from farming wet-season rice, either rain fed or recessional, depending on the location. In many places they earn a secondary source of income from NTFP collection.

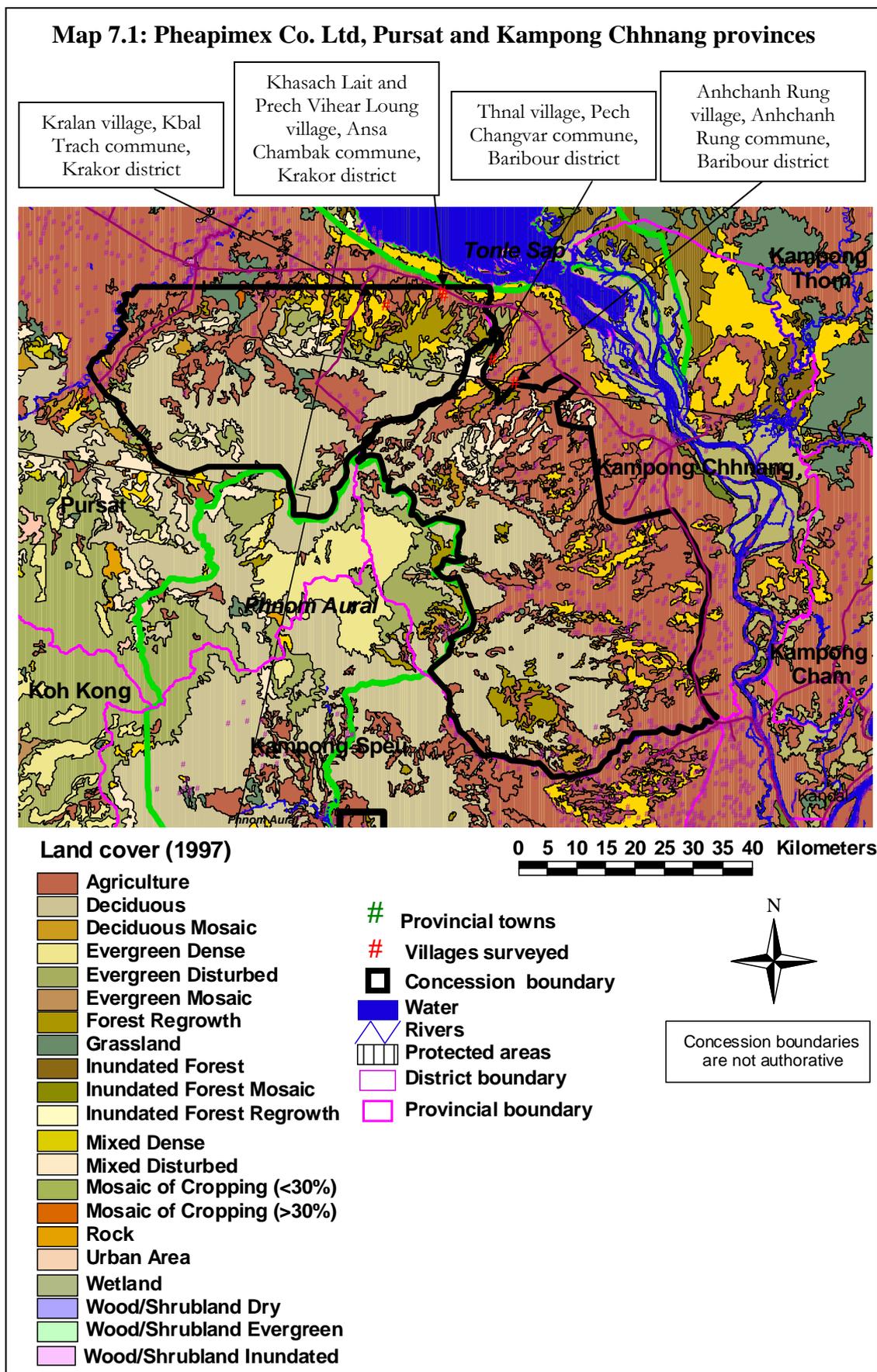
7.1.2 Background to plantation development

On 8 January 2000, Pheapimex Co. Ltd (from hereon referred to as Pheapimex) was granted two continuous concessions to grow eucalyptus, totaling 315,028 Ha. The concession is located in Tuek Phos, Sameakki Mean Chey and Baribour districts of Kampong Chhnang province (total 176,065 Ha), and Bakan, Krakor and Sampov Meas districts of Pursat province (total 138,963 Ha) (UNCOHCHR, 2005c).¹⁶ The total concession area covers large areas of forest, plus villagers' rice fields and entire villages, with an estimated population of well over 100,000 people (ibid). Although some areas will be set aside for local villagers, these are not at present demarcated. The concession is located adjacent to two protected areas: the Tonle Sap Lake to the east and the Oral Wildlife Sanctuary to the west. In developing the concession, there was no appropriate consultation with local communities. EIA and SIA were not undertaken (ibid).

Following approval, on 25 December 2000 Pheapimex undertook a joint venture partnership with the Chinese Farm Cooperation Group to the amount of US\$70 million, to develop the concession and the pulp and paper processing plant (Lang, 2003; UNCOHCHR, 2005c). The Import-Export Bank of China granted the loan to the RGC, it was reported, in order to develop trade between China and Cambodia. To-date,

¹⁶ In March 2005, UNCOHCHR prepared a report detailing Pheapimex's recent activities in its Pursat/Kampong Chhnang concession, including a detailed chronology, entitled 'Annex to the Report of the Special Representative on Land Concessions for Economic Purposes: Pheapimex Company Ltd', referenced as UNCOHCHR (2005c) in the present report.

construction of the mill has not begun and it remains unclear whether a paper mill will be constructed or not.



Initial attempts by Pheapimex to begin clearing its concession in 2000 ceased owing to major opposition by local communities.¹⁷ Resistance by donor organizations and NGOs later on also contributed to keeping the company inactive.

On 4 November 2004, Pheapimex reinitiated its activities, receiving permission from the Deputy Director of the Ministry of Agriculture to clear 10,000 Ha in Pursat and 10,000 Ha in Kampong Chhnang provinces. The Ministry requested that the company work with a working group, established by the Provincial Governor of Pursat, in identifying land to be cleared (UNCOHCHR, 2005c). After a recent partnership with Wuzhishan LS Group (May 2004), technical support was provided by the company.¹⁸

Villagers discovered that Pheapimex planned to recommence clear-cutting forest in Pursat and Kampong Chhnang provinces in October 2004, when they observed on-site preparations by the company (Pyne and Naren, 29.10.04). In response, on 12 November 2004, hundreds of villagers, their livelihood once again threatened by the company, gathered to protest in Ansar Chambak commune, approximately 5km from the worksite. At 12.40am on the Saturday morning (13 November 2004), a grenade was thrown among sleeping protestors, injuring eight in total, three seriously; six protestors required treatment in Phnom Penh. Villagers accused the company of colluding with the police in conducting the attack. In response, the police suggested that the villagers had thrown the grenade at themselves to generate sympathy for their cause and to frame the company (Samean and Reynolds, 15.11.04). The attack forced several local protesters to seek refuge in Phnom Penh, fearing for their lives (Naren and Pyne, 17.11.04). Nobody has been arrested to-date. Human Rights Watch reported the incident in their 2004 Global report (HRW, 2005). The company stopped clearing the forest following the attack, but resumed activities five days later (Naren and Pyne, 18.11.04).

A meeting took place on 17 November 2004 between H.E. Nouth Saan, Secretary of State at the Ministry of Interior, Ung Samy, Governor of Pursat province, and the first Deputy Governor of Kampong Chhnang province. They ordered that the company's activities stop until a survey studying the impact on villagers and their farming could be conducted (Sokheng and Cochrane, 19.11.04). Despite this order, the company continued to clear forest in Pursat province, and actually expanded their operations into Kampong Chhnang province (Naren and Pyne, 23.11.04).

Despite the attack, villagers continued petitioning against the concession. On 9 December 2004, International Day for Human Rights, villagers met King Norodom Sihamoni to raise the issue. In an attempt to protect the trees in early January 2005, Buddhist monks blessed 300 trees, hanging saffron robes on them. The ceremony was witnessed by more than 1,000 villagers. Three days after the ceremony, however, the company began cutting down the consecrated trees, infuriating villagers (Naren, 26.1.05).

On 27 January 2005, the protest was politicized when leader of the opposition party, H.E. Sam Rainsy, visited the site and expressed his support for the villagers (Naren and Berthiaume, 28.1.05). On 3 February 2005, Sam Rainsy Party officials filed a court complaint against the Cambodian Prime Minister, Samdech Hun Sen, and H.E. Chan

¹⁷ See UNCOHCHR (2005c).

¹⁸ Wuzhishan is currently developing a concession in Mondolkiri province, covered in more detail in Section 8. The Wuzhishan Board of Directors consists of a representative of investors from the People's Republic of China, Director of Pheapimex company, and the Cambodian Director of British American Tobacco. The company is using Chinese technical expertise to develop its concessions.

Sarun, Minister of Agriculture, Forestry and Fisheries, alleging corruption whereby they ‘used their positions to ... allow Pheapimex to cut trees that are of national importance and the main sources of income for hundreds of villagers in the region’. The current status of the court case is unclear.

In response to a letter from King Norodom Sihamoni, expressing his concern following complaints he had received from the villagers, Samdech Hun Sen wrote to the King on 24 February 2005, praising the Pheapimex concession as a ‘new, landmark event’ in Cambodia, and blamed NGOs and the opposition party for inciting villagers to protest (Berthiaume, 18.3.05). The Prime Minister accused villagers of encroaching on state land and said that the authorities were trying to set aside land and some forestry resources. He also wrote that the soil in the concession was degraded and only suitable for the planting of fast-growing trees, although many villagers dispute this.



Photograph 7: Workers at a company camp in Krakor district, Pursat province

Work at the concession once again ceased in January 2005. According to a villager from Krakor district, Pursat province, quoted in the *Cambodia Daily*, ‘Workers were ordered to stop working between January and early April, and then all company material, including bulldozers, was taken away’ (Naren, 10.6.05). Plans for the concession are at present unknown.

7.1.3 Description of the villages visited

All villages visited in Pursat and Kampong Chhnang provinces were located within the Pheapimex concession, or had their land within the concession, although at the time Pheapimex had only commenced clear-cutting in Ansar Chambak commune.

The majority of villagers interviewed (68%) had lived in the village either all of their lives, or longer than 20 years. People moved to the area for family reasons, because land was available in the area, or because land was unavailable in their homeland. 79% of people interviewed intended to stay in their village; 6% said they did not intend to stay, and the remainder was not sure. Most people wanted to stay because it was their homeland. Other reasons given were that it was easy to make an income, or that they had agricultural land. In general, all villages can be characterized as primarily farming communities, with secondary income activities dependent on the local forest resources and fisheries.

7.2 Livelihood

7.2.1 Present occupation

Of the households interviewed, most were farmers (87%) growing wet-season rice and raising animals, earning between US\$15 and US\$22.50 per month. Other occupations were selling (18%), which brought between US\$7.50 and US\$30 per month, and cutting forest and transporting wood (6%). Teachers earned between US\$10 and US\$30 per month, and fishers and laborers earned approximately US\$37.50 per month. Typical incomes generated from NTFP collection are described in Section 7.3.3.

Overall, 17% of those interviewed said that their occupation had changed since the establishment of the plantation, most notably in Ansar Chambak commune (31%).¹⁹ Of these, 70% said that they now could not go into the forest to collect wood or other NTFPs and so could not work. 16% of interviewees whose occupation had changed said that they had lost or will lose access to agricultural land, and therefore had lost their means of income. One person (7%) said that the company had put a fence across an ox cart track he used.

Overall, 60% of the interviewees said that the plantation had affected their agricultural activities. Table 7.1 presents the percentage of interviewees whose agriculture either has been affected or will be affected in the future by the plantation, by commune. Of those affected, 57% said that their rice fields were in the areas allocated to the company and would be lost if they were not set aside for the villagers. 15% said that a loss of forest was a problem for their agriculture. 11% said that rice growing had already become more difficult near the plantation and that they were not allowed to prepare their land. 4% said there was a shortage of water, as the company had filled in the streams. 4% said that, following clearance of the land, there was far less space available for cows and buffalos to graze.²⁰

Table 7.1: Impacts on agriculture

	Kbal Trach	Ansar Chambak	Pech Changvar	Anhchanh Rung
Yes	44	68	62	60
No	38	25	38	25
Not sure	18	7	0	15

Travel through the concession area has also been limited: 58% of interviewees said they were not permitted to travel through the plantation area, 25% said they could, and the remainder was not sure. The company has put fences to prevent trespassing across some roads that the villagers used to use for access to the area.

7.2.2 Food security and debt

53% of villagers said that they had enough food to eat; 46% did not and 1% was not sure. Asked whether the type of food they ate had changed since the plantation had arrived, 42% said yes. This was attributed to: a loss of forest, cut down both by the company and by other villagers; a lack of access to the forest and fishing areas (most notably in Ansar Chambak commune); loss of rice land; and fear of going into the forest to collect supplementary food.

¹⁹ Not all interviewees who subsequently identified a loss of access to NTFP or loss of agricultural land equated this with a change in occupation

²⁰ This was an open question. 20% of interviewees did not provide an explanation for why their agriculture had been affected.

Overall, 23% of villagers were in debt, 63% were not and 14% did not provide an answer. Reasons for going into debt included borrowing money to raise animals, illness and shortage of food.

7.3 Impact on the environment and livelihood

7.3.1 Fisheries

Table 7.2 shows the percentage change in the number of fishers, together with the interviewed fishing villagers' perception of the situation of fish stock before and after the arrival of Pheapimex.

Table 7.2: Fishing activity and fish stock change

	Kbal Trach	Ansar Chambak	Pech Changvar	Anhchanh Rung
Fisher before (%)	75	61	85	95
Fisher after (%)	25	14	69	55
Fish increase (%)	0	0	11	36
Fish decrease (%)	100	100	78	64
Fish stay the same (%)	0	0	0	0
Not sure (%)	0	0	11	0

In all four communes, there had been a significant decrease in the number of fishers, a result of decreases in fish stocks. 44% of villagers blamed the decrease on illegal fishing activity, which was not linked to the company activities; electrocution was identified as most common, followed by explosives and then poisons. 14% of villagers, however, said that they could not catch fish any more because the company had filled in the streams where the fish lived. 12% of villagers said that drought had recently affected the fish stocks. Two households interviewed said they were afraid to go fishing now because the company guards had weapons. One household said that they could not access their fishing area any more because of the company.

7.3.2 Access to water resources

49% of villagers interviewed thought that the plantation had affected their access to water resources; 34% said it had not and the remainder was not sure. 50% of interviewees who said that their access to water had been affected pointed out that the company had filled in the streams. 13% added that this made for water shortages for cows and buffalos. Three interviewees in Ansar Chambak and three in Anhchanh Rung said that the company's activities had changed the water color from blue to black.²¹

7.3.3 Non-timber forest products

Table 7.3 summarizes the number of interviewees that collected NTFPs both before and after the concession was established. Some had collected NTFPs only for family consumption, whereas others collected them to generate income. NTFP collection is common outside of the rice-growing season.

²¹ This question was open. Other responses included (multiple permitted): cannot access farm (5%); cannot access water (3%); water has affected my health (3%); will lose access to water (5%); and no explanation offered (8%).

Table 7.3: Collection of non-timber forest products

	Kbal Trach	Ansar Chambak**	Pech Changvar	Anhchanh Rung
Collect NTFPs before plantation (%)	75	75	92	75
Made income from NTFPs collection before (%)*	56	68	77	50
Collect NTFPs now (%)	50	54	46	45
Make income from NTFPs collection now (%)*	31	32	23	10

* Percentage expressed as those that earn income of total interviewed.

** These values are comparable with UNCOHCHR (2005c), which suggests 90% of communities depend on NTFP for income and subsistence purposes.

There has been a significant decrease in the number of people who collect NTFPs since the company's arrival. It is important to note that the number of people collecting NTFPs for a living has decreased by a greater proportion than has that of those who collect NTFPs generally. In other words, some people have continued to collect NTFPs, but have stopped collecting NTFPs as a means of income, affecting their income and therefore their livelihood. Overall, interviewees who had stopped collecting NTFPs had done so for two reasons. First, company guards or staff had threatened them; secondly, the availability of NTFPs in the area has decreased in recent times.

It is difficult to generalize income from NTFPs, because NTFPs are seasonal and income generated depends on a family's means and effort. Typical values reported for income generation before the plantation from NTFPs were: firewood US\$35 to US\$50/month; traditional medicine US\$5 to US\$25/month; forest fruit US\$10 to US\$35/month; forest plants US\$17 to US\$50/month; resin US\$5 to US\$50/month; honey US\$1 to US\$3/month; bamboo approximately US\$3/month; banana leaf approximately US\$12.50/month; and vine between US\$7 and US\$60/month. Collection of forest fruit was the most popular NTFP income-generating activity, followed by collection of firewood. There were, however, more extreme values; for example, one family said they earned US\$225/month collecting resin; several others said that they earned over US\$110/month collecting forest fruits. It must be reemphasized, however, that these reported earnings are seasonal. The majority of families able to provide before and after estimates of their income from NTFPs nowadays earn less income from NTFPs than in the past. It can be confirmed that NTFPs are an important income source for many of the community members interviewed.

Table 7.4 shows interviewees' understanding of whether they could enter the plantation area to collect NTFPs. With the exception of Kbal Trach, where a larger proportion of interviewees were not sure whether they could enter or not, over half of interviewees in all other communes said that they could not enter the plantation area to collect NTFPs.

Table 7.4: Permission to enter the company area to collect NTFPs

	Kbal Trach	Ansar Chambak	Pech Changvar	Anhchanh Rung
Can enter	19	25	15	40
Cannot enter	44	68	69	55
Not sure	38	7	15	5

The majority of the concession is as of yet inactive (i.e. only designated on a map) and therefore has not been affected by the development to-date. The study areas, however, have already experienced the activity of the company.

7.3.4 Timber

Table 7.5 presents villagers' opinions as to whether they had access to enough timber, before the plantation was established and at time of interview. The majority of villagers from all communes interviewed said that they did not have enough timber now.

The two main reasons were that the company did not allow them access to the forest (39%) and that the company had destroyed the forestland (28%).²² Three interviewees said that if they paid some money to the company guards they could cut some timber.

Table 7.5: Availability of timber resources

	Kbal Trach	Ansar Chambak	Pech Changvar	Anhchanh Rung
Before did have enough access to timber	81	92	100	90
Before did not have enough access to timber	13	4	0	10
Before not sure	6	4	0	0
Now do have enough access to timber	6	4	38	0
Now do not have enough access to timber	88	92	62	95
Now not sure	6	4	0	5

7.3.5 Wildlife

Overall, asked whether the amount of wildlife had changed since the company arrived 86% said that it had decreased, 4% said it had increased, 4% said it had not changed, and 6% were not sure. 66% people, when asked why wildlife had decreased, blamed it on destruction of the wildlife's forest habitat; of these, 30% directly identified the company as responsible for destroying the habitat.²³

7.4 Resettlement and loss of assets

The concession covers significant areas of people's rice fields. The precise number of people who will lose rice fields is unknown, although can be expected to be high. For example, in Pech Changvar commune, the Commune Chief said that there were 706 families. Of these, the forest clearance has affected 200 families and 1,650 Ha of rice field. He also said that some people living on a mountain nearby were forced to move when the company arrived. The final extent of resettlement and assets lost by villagers would depend on the final concession design, which should set some land aside within the concession area for villagers. Considering that the concession is of 315,028 Ha, however, the extent of asset loss and resettlement will probably be high.

7.5 Employment on the plantation

Asked how easy it was to get work on the plantation, 8% said it was very difficult, 3% said it was difficult, 3% said it was okay, 3% said it was easy, and 5% said it was very

²² This was an open question. Other reasons: there had been a lot of logging and cutting in recent years (15%); the forest only had small trees (3%); and never visit forest (2%). 13% did not provide explanation.

²³ This was an open question. Three interviewees provided two explanations. Other explanations for a decrease in wildlife were hunting activities (17%); do not catch wildlife (4%); and no water (2%). 13% did not provide an explanation.

easy. The remaining 78% did not know how easy it was to get work on the plantation. Only one household out of the 77 interviewed said a member of their household had worked on the plantation, and had been employed for a total of ten days earning US\$1.25/day.²⁴

According to newspaper reports, many of the workers on the plantation, brought in from other provinces, complained of high food prices in the area, malaria, long work hours and having to borrow money at high interest rates (Naren and Berthiaume, 28.1.05). UNCOHCHR (2005c) reports:

The camps within the concession consisted of ramshackle huts...with no sanitation facilities ... The company did not provide mosquito nets or any medical care on site. Those who fall sick and who cannot work have their wages stopped.

The Pech Changvar Commune Chief said that it was difficult for the workers on the plantation because there was a lack of food: their work area was so far from the markets, and sometimes they ate only rice with no meat or fish. He added that the workers got only three days holiday per month and the men and the women had to sleep together in the company offices.



Photograph 8: A seedling nursery at a company worksite in Krakor district, Pursat province.

7.6 Consultation between company and villagers

3% of people said they had been asked whether they wanted the plantation or not, 58% said they had not and the remaining 39% were not sure. The investigation results show there was a lack of meaningful consultation with the local communities before the development of the plantation, as has been previously reported.

7.7 Perceived relationship: company, authorities and villagers

Villagers were asked how they perceived the relationship between the communities, authorities and the company (Table 7.6). For those who voiced an opinion, on the whole they considered the relationship between the authorities and the company to be good or

²⁴ UNCOHCHR (2005c) identifies that workers work from 6.30 until 10.30, and then from 13.00 to 17.00, with only three days off per month.

very good. The relationship between the authorities and communities was perceived to be between good and bad. The relationship between the community and the company was perceived to be between bad and very bad.

Table 7.6: Relationship between communities, authorities and the company (%)

	Very good	Good	Okay	Bad	Very bad	Not sure
Authority/ company	4	19	3	1	1	72
Authority/community	0	3	32	9	4	52
Community/company	0	1	3	27	9	60

7.8 Summary

Overall, 88% of interviewees said they were not happy that the plantation had arrived, and the remainder gave no opinion. No villager interviewed was happy that the company had arrived. Loss of the forest and the impacts that made on livelihoods was almost exclusively the main reason for complaints against the company. The common sentiment of many villagers interviewed was that they wanted the company to stop destroying the forest and to give them back their agricultural land, on which they depend to make a livelihood. There is a strong desire by local villagers to establish community forestry projects in the area, but at present they cannot gain permission because, according to Pursat provincial authorities, Pheapimex has authority over the land (UNCOHCHR, 2005c).

The present extent of clearance is unknown. UNCOHCHR (2005c) reports that, during its field mission to Veal Sbov area, Tang Krasaing commune, Kampong Chhnang province on 16 February 2005, villagers reported that 1,800 Ha had already been cleared.²⁵ NGO estimates in March 2005, unconfirmed officially, estimated that in Ansar Chambak commune, Pursat province, 30-40 Ha had already been cleared, with about three Ha planted.²⁶ A further 100 Ha had been semi-cleared, with some larger trees still remaining. In Khleang Popok commune, Kampong Chhnang province, it was estimated that a further 1,600 Ha was semi-cleared, with three Ha cleared to make a nursery and holes for planting dug on approximately 10 Ha.

Even by global standards, the size of Pheapimex's concession is massive (Lang, 2003). Pheapimex is considered to be the largest private landholder in the Kingdom of Cambodia²⁷ (Samean and Reynolds, 15.11.04). An additional concern is the potential development of a huge pulp and paper mill: this activity is known to require large amounts of chemicals, water and energy, and almost always result in extensive pollution of nearby rivers by these chemicals and wood particles. The Pursat and Kampong Chhnang concession's vicinity to the Tonle Sap Lake, a UNESCO biosphere reserve, makes these risks of particular pertinence.

The field research has demonstrated the important role that agriculture and NTFPs play in securing villagers' livelihoods. Together with loss of access to timber and decreasing incidence of wildlife, it is found that the concession, in the areas where it is active, has had a strong and negative impact on local communities. It may be anticipated that similar

²⁵ Some eucalyptus trees had also been planted, although not on all 1,800 Ha.

²⁶ These are not official figures, and should be taken only as indicative of the extent of clearance to-date.

²⁷ Pheapimex is thought to hold in the region of one million Ha of land and forest concessions in Cambodia (Pyne, 30.9.05).

negative impacts will result in areas where the concession is designated but not yet active. Reaction by local communities to the Pheapimex concession, developed to-date without consultation, has been vocal. Communities have independently organized protests and other forms of resistance. UNCOHCHR (2005c) documents wide-ranging intimidation and threat tactics used by the provincial authorities against the communities and against commune-level authorities who are protesting the current plantation development plan. There is a risk of escalating conflict if the company, government and villagers do not identify an equitable solution to the concession development.

8. Findings: Wuzhishan LS Group, Mondolkiri Province

Wuzhishan LS Group was established in May 2004. On 4 August 2004, the company received permission in principle from the RGC to establish a 199,999 Ha pine-tree plantation in Sen Monorom and Ou Reang districts of Mondolkiri province, with 10,000 Ha approved immediately for testing and commercial planting. Authorization was given with no consultation, with either local communities or local authorities. The concession area is home to many, mainly Phnong, indigenous people, who have been severely affected; grazing land, farmland, spirit forests and burial grounds have been destroyed. Wuzhishan has also infringed on land allocated to a Japanese company, Marubeni Development Corporation, which planned to develop a rubber plantation in the same area. Marubeni's conduct to-date in developing its plantation had given rise to hopes that it could be held as an example of socially and environmentally responsible plantation development in Cambodia. The concession also overlaps in part with the 'Seima Biodiversity Conservation Area'. Demonstrations by local communities in June 2005, met on occasion with threats and intimidation, necessitated the formation of an inter-ministerial committee to resolve the problems, although at the time of writing the issues remain to be equitably solved.

8.1 Introduction

8.1.1 Background to the area

Mondolkiri province is located in the northeast of Cambodia. Dak Dam and Sen Monorom communes, where a pine plantation is presently under development, are characterized by gently rolling grassy hills with mixed-deciduous dry forest in the valleys. The total population of Sen Monorom and Dak Dam commune is 2,087 and 1,353 people, respectively.²⁸

The concession area is home primarily to the Phnong people, who constitute 54% of the population of Mondolkiri province, as well as several indigenous communities (2004 Commune Council profiles, quoted in UNCOHCHR, 2005a). The Phnong people are predominately animists; their beliefs therefore are intrinsically linked to the landscape and nature, within which the spirits reside. Burial grounds and spirit forests are of particular importance. Other indigenous peoples living in Mondolkiri include the Stieng, Krueng, Tumpoun and Lao.

Articles 23-28 of the Land Law provide provisions for indigenous peoples by recognizing the concept of indigenous community property; protection of these rights codified in the law is becoming an increasingly important issue as the northeast of Cambodia, where many indigenous peoples live, increasingly becomes a focus for development (NGO Forum on Cambodia, 2005).

8.1.2 Background to the plantation development

Wuzhishan LS Group (from hereon referred to as Wuzhishan) was formed as a company of limited responsibility in May 2004. The Board of Directors consists of a representative of investors from the People's Republic of China (Mr Liu Wei), Director of Pheapimex company (Mr Lau Meng Khin), and the Cambodian Director of British American Tobacco (Mr Sy Kong Triv) (UNCOHCHR, 2005a).

²⁸ Interview with Mr Pel Krat, First Deputy, Sen Monorom commune (22.5.05) and Mr Out Bouny, Commune Chief, Dak Dam commune.

On 9 August 2004, Wuzhishan received permission in principle from the RGC to establish a 199,999 Ha pine-tree plantation in Sen Monorom and Ou Reang districts of Mondolkiri province, with 10,000 Ha approved immediately for testing and commercial planting.^{29, 30} No environmental or social impact assessments have been conducted, and there was no consultation with either the local population or local authorities (UNCOHCHR, 2005b). According to a map of the concession, which indicates a total of 86,894 Ha allocated to the company, if the concession is developed to its full extent, seven communes will be affected (Dak Dam; Monorom; Romonea; Sen Monorom; Sokh Dom; Spean Mean Chey; Srae Ampum) in three districts (Sen Monorom, Ou Reang and Pich Rada). According to the 2004 Department of Planning commune profiles, the total population in all seven communes is 2,675 households (12,472 people; 6,332 women). The company's current activities are mainly affecting two communes, namely, Sen Monorom and Dak Dam, although there has been some activity (e.g. some clearing/fencing) in all seven. According to Mr Svay Somearng, Director of Provincial Administration, Mondolkiri province, interviewed on 22 March 2005, a factory will be built in Mondolkiri to convert the pine trees into resin, and timber for use in Cambodia and for export.

Prior to official permission for the main concession area, Wuzhishan established a one Ha pine nursery near Pu Hieb village, Sen Monorom commune. Between June and August 2004, approximately 80 workers were engaged on the nursery, which expanded at the end of June by several more hectares (UNCOHCHR, 2005a).

In mid-September 2004, the pace of Wuzhishan's activities accelerated when it liberally applied the herbicide glyphosate³¹ to areas of the concession grasslands, burning the dead vegetation, and commenced the planting of 250,000 pine seedlings (Pyne, 30.9.04). UNCOHCHR (2005a) reports that this practice continued until January 2005. The concession has indiscriminately cleared not only grassland used by the local Phnong population to graze cattle, but also spirit forests and ancestral burial grounds, which are essential elements of the Phnong culture.

The concession area also incorporates areas of the villagers' rice production land, farmland and chamkar (mixed garden) land on which the villagers practice swidden agriculture. A petition filed on 6 September 2004 by more than 400 indigenous Phnong residents to the Sen Monorom Commune Chief and the Ou Reang District Governor requested that the company stop developing land used by the indigenous people. The petition identified that the plantation would affect indigenous people's rice fields, cemeteries, spiritual sites and grazing land.

The concession overlaps in part with the 'Seima Biodiversity Conservation Area' established by Prakas in 2002, which is presently managed by the Forestry Administration and is a target area of the International NGO Wildlife Conservation Society.

29 A detailed chronology of events at the concession between May 2004 and June 2005 can be found in UNCOHCHR (2005a).

30 No official map released.

31 Glyphosate is a broad spectrum, non-selective systemic herbicide. It is effective in killing all plant types including grasses, perennials and woody plants. Compared with other more hazardous herbicides in common use, glyphosate is considered relatively benign by experts, with a low acute toxicity and limited environmental impacts on water sources and soils, although this is not to say that it is completely safe under all conditions of use.

Problems faced by the communities were brought to the attention of the UN Human Rights Special Representative Professor Peter Leuprecht on 7 November 2004 previous to his meeting with Prime Minister Samdech Hun Sen. Villagers told him that 10 buffalos had died because the company had sprayed herbicides (Pyne and Naren, 9.11.04).



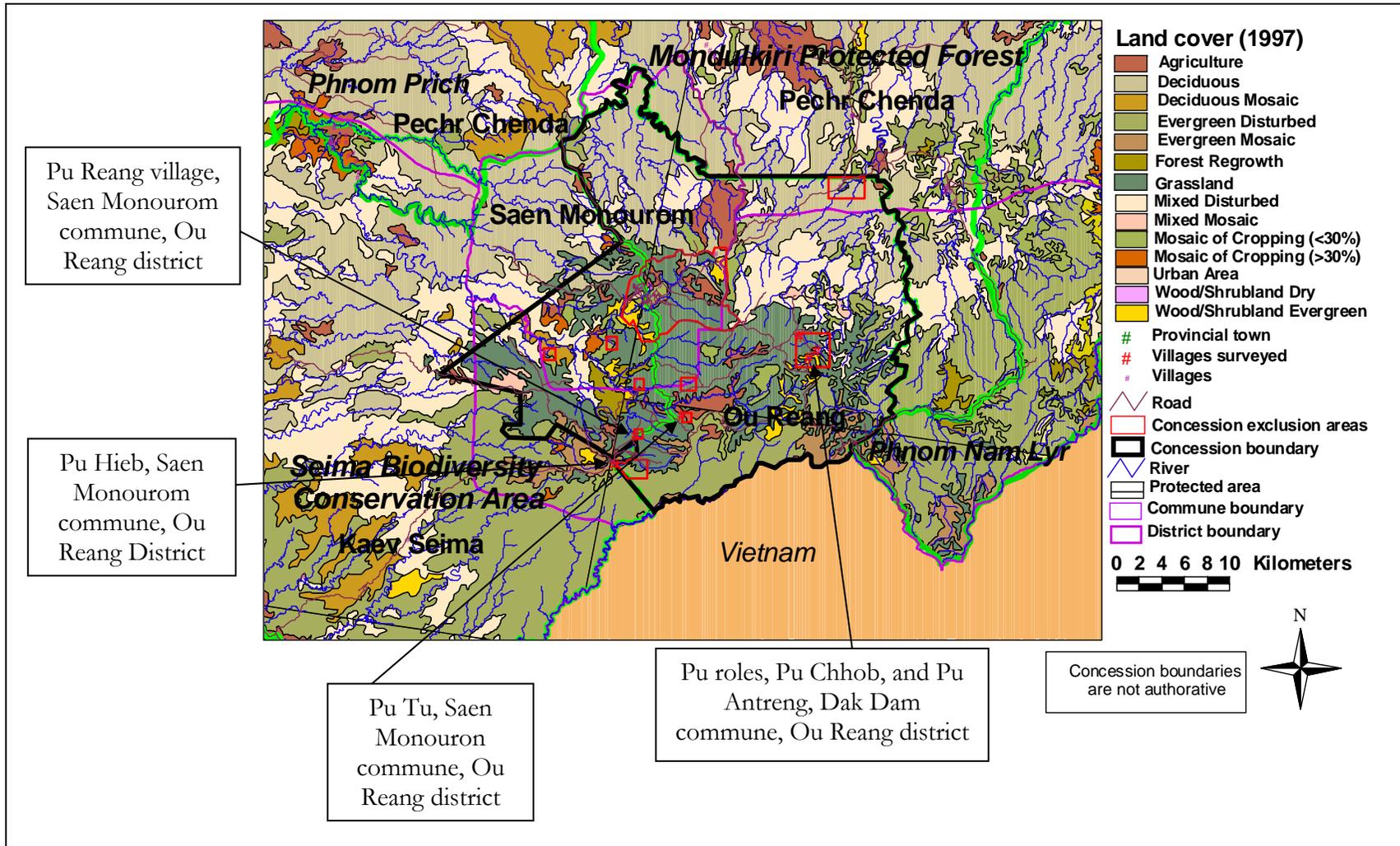
Photograph 9: Land cleared for planting in Sen Monorom commune, Ou Reang district.

By March 2005, the company had imported over 5,000,000 pine seedlings from China and had planted over 1,000 Ha (Personal Communication, Svay Somearny, 22.3.05). Protests by Mondolkiri residents against Wuzhishan's activities occurred first in early April, when around 60 villagers prevented company workers from planting pine seedlings in a field near their four villages (Roeun, 6.4.05). According to the Coordinator of the local NGO ADHOC, the villagers demanded that all pine trees be planted 3km from their villages, expressing concern that the trees would destroy their crops by taking all of the water from the soil. The workers left peacefully to let the provincial authorities and the company find a solution with the villagers.

Following many attempts by communities to resolve the issue through official government channels by registering formal complaints, larger protests erupted on 16 June 2005, when between 650 and 800 mostly Phnong people affected by the plantation protested in front of the company's house in Sen Monorom town (Naren, 17.6.05; UNCOHCHR, 2005a). Early in the day, the police attempted to disperse the protestors with water hoses, resulting in minor injuries, although villagers continued to protest throughout the day. Protestors wanted to meet the Provincial Governor to discuss their problems, but Third Vice Governor H.E. Nha Rang Chan was sent in substitution.

On 17 June 2005, the Council of Ministers issued a Notification ordering Wuzhishan to suspend its activities immediately in areas of the concession which encroached on Phnong land. Provincial Governor H.E. Thou Son announced that a provincial committee would be set up to resolve the matter (Naren, 20.6.05). A report by the *Rasmei Kampuchea* newspaper (21.6.05) reported the Deputy Provincial Governor to have stated that at this time the company had planted pine trees on more than 1,000 Ha, dug holes for planting pine trees on 13,000 Ha, and cleared for planting 19,900 Ha of land.

Map 8.1: Wuzhishan LS Group, Mondolkiri province



Frustrated by the apparent lack of enforcement of the suspension of the Council of Ministers' order, villagers continued to protest publicly. On 21 June 2005, 60 villagers blocked a road in Dak Dam commune, preventing workers from entering the area and taking charge of a company truck for several hours (Naren, 23.6.05). By 26 June 2005, 250 villagers were holding three road blocks in Dak Dam commune around the clock, preventing both workers and baby pines trees from reaching the concession site. A confrontation between several Wuzhishan officials in a Toyota pick-up and villagers at one road block resulted in the officials threatening to call in armed police to crack down on the protest, before driving away (Naren and Reed, 27.6.05). During the same incident, villagers accused a police official of attempting to intimidate them by appearing to hand a cartridge of AK47 bullets to the Wuzhishan officials. Villagers subsequently confiscated the cartridge from the police official after the Wuzhishan officials had left. Other road blocks reported similar intimidation tactics (Naren, 28.6.05).

The blockades in Dak Dam commune were finally broken on 27 June 2005 when around 800 mainly Khmer company laborers wielding hoes, knives and sticks dismantled them and passed through (Naren, 29.6.05). Destruction of the road blocks was overseen by Mondolkiri's Second Deputy Governor H.E. Sok Ron. No injuries were reported and several other road blocks in Sen Monorom were still intact at the time.

On 28 June 2005 the Provincial Governor of Mondolkiri met 150 villagers in Dak Dam commune to warn villagers against constructing illegal road blocks. According to an ADHOC human rights investigator, he also went to advise them he was entitled to order the armed forces to crack down on them at any time (Naren, 29.6.05). According to the same ADHOC human rights investigator, however, in neighboring Sen Monorom commune villagers pledged to continue blocking roads because the government order to stop Wuzhishan's operations was not enforced. Through H.E. Prak Sokhonn, Secretary of State at the Council of Ministers, it was revealed that Samdech Hun Sen had ordered that villagers' spirit forests and farmlands should be excluded from Wuzhishan's 199,999 Ha concession (Roeun, 1.7.05)

On 5 July 2005, the office of the Special Representative of the Secretary General for Human Rights in Cambodia, Peter Leuprecht, called on the government to cancel the Wuzhishan concession, stating that 'The Government and the company have disregarded the wellbeing, culture and livelihoods of the Phnong indigenous people ... and many breaches of the law and of human rights have been committed'. A subsequent statement by the retired King Norodom Sihanouk supported Leuprecht, referring to the development as '... an illegal and inadmissible violation of the Phnong's rights, human rights and constitutional rights' (Vachon, 11.7.05)

The pending arrival of King Norodom Sihamoni, to celebrate National Forestry Day on 9 July 2005 in Mondolkiri, led around 200 villagers on 7 July to skirt police road blocks, enter Sen Monorom town and approach the provincial office in the hope of gaining an audience with the King. The villagers alleged that work at the concession was still continuing, encroaching on their farmland and desecrating their spirit forests and ancestral burial grounds. Earlier in the day, around 800 villagers from Dak Dam and Sen Monorom commune gathered 3km from the provincial town. The Provincial Governor had met these villagers and explained that they could march into the town and protest after the King had left, although some were dissatisfied with this postponement (Naren and Berthiaume, 8.7.05). Later on the 7 July 2005, these villagers met H.E. Nuth Sa An, Secretary of State in the Ministry of Interior, and agreed to leave the town in exchange

for a guarantee that Wuzhishan stop planting in the two communes and that a provincial committee would be formed to resolve the dispute (Prak and Berthiaume, 9-10.7.05). This would include communities getting their land back, and ensuring fair compensation for loss of ancestral burial sites and other land given over to the concession. The provincial committee would report its findings to an inter-ministerial national committee. On 11 July 2005, the provincial-level committee commenced its research activities, conducting field research for a total of two days.

In mid-July it became apparent that Wuzhishan's activities might not only have encroached on Phnong community land, but also on that allocated to Marubeni Development Corporation (from hereon referred to as Marubeni), a Japanese company planning to plant rubber trees (Prak and Berthiaume, 13.7.05). Marubeni, who had expressed interest since 2003, had conducted several studies, including a two Ha test plot. In contrast with Wuzhishan, the company had consulted with the local population and authorities. Many local and national NGOs have highlighted Marubeni's approach as an example of how Cambodia could develop plantations in a more socially and environmentally responsible manner. The establishment of the rubber plantation is planned under the 'Clean Development Mechanism' of the Kyoto Protocol to mitigate global warming, although the relevant UN agencies are yet to approve its viability.³² The inter-ministerial committee, already charged with solving the communities' land disputes, was also called upon to assess and resolve the dispute between the two companies claims.

On 26 July 2005, the inter-ministerial committee, in reporting its findings, found that in total Wuzhishan had planted 8,938 Ha with pine trees to-date, had prepared a further 3,295 Ha, and had partially planted 4,284 Ha.³³ Therefore, in total, Wuzhishan had claimed by its actions 16,517 Ha to-date. Of Marubeni's land, 4,508 Ha had already been planted with pine trees by Wuzhishan, 2,111 Ha had been partially planted, and 1,162 Ha had been prepared, totaling 7,780 Ha. The survey also noted that approximately 1.17 Ha of the 'SIMA' (sic) biosphere conservation had also been affected. The inter-ministerial committee therefore concluded that Wuzhishan should withdraw from Marubeni's land. Regarding encroachment onto villagers' land, H.E. Nuth Sa An, head of the inter-ministerial committee, said that negotiations had been difficult and that at present it had only been agreed that the company would be required to build fences around its concession to avoid encroachment. Villagers from Sen Monorom commune were requesting a 3km clearance from their village to the plantation, whereas villagers from Dak Dam commune were requesting a 10km radius.

Wuzhishan's activities have also affected other development activities. The Japanese International Cooperation Agency planned the construction of a micro-hydroelectric dam in Sen Monorom commune to provide power to the area, built on a 2m-high waterfall constructed during the French protectorate era (Prak, 3.8.05). The Third Deputy Provincial Governor reported that Wuzhishan had taken water from the dam to provide water to their baby pine trees.

32 The 'Clean Development Mechanism' has itself been questioned as to its ability to combat global warming (see World Rainforest Movement, 2003).

33 The document produced by the Working Group of the Ministry of Agriculture, Forestry and Fishery is dated 19 July 2005 and is entitled 'Minute of the Mission to Conduct Survey on Concession Land Area of Wuzhishan LS Group in Mondolkiri'. In this report, it is referred to as WGMAFF (July 2005).

On 8 August, the inter-ministerial committee awarded US\$500 each to six affected villages. The money was allegedly to be used to buy sacrificial animals for religious rituals which take place annually during August.

No resolution to the dispute had been reached by the end of August. It was reported by the Second Deputy Provincial Governor at a provincial meeting on 18 August that, with permission from the government authorities, Wuzhishan recommenced planting activities on 18 August 2005; to-date 9,264 Ha had been planted, with a further 8,145 Ha being prepared for planting.³⁴ The Second Deputy Governor explained that conditions required by the Council of Ministers Order No. 1202 Sor Cho Nor dated 27 July 2005 had been met. NGOs and some government officials disagreed with this interpretation, saying that legal procedures (permission from CDC, contract with MAFF, EIA etc) had not been completed, and the land dispute with local communities had not yet been solved.

It was reported on 29 August that in Pou Siam village, Sean Monorom commune, a group of provincial representatives led by the Second Deputy Governor of Mondolkiri province and accompanied by Wuzhishan officials, began erecting posts 500 meters from the village, telling the villagers that only this amount of land could be set aside (Naren, 31.8.05).

8.1.3 Description of the villages visited

All villages visited by the survey team are located within the area currently affected by Wuzhishan's activities. According to the survey team's observations, all villages conducted similar livelihood activities and had experienced similar impacts from Wuzhishan's activities. The results of the questionnaires are therefore presented together.³⁵

The population of the villages, according to the provincial committee which researched the plantation in July 2005 (Table 8.1), is significantly greater than that reported in the 1998 Census (Table 4.2).

Table 8.1: Populations according to 1998 Census and provincial committee (July 2005)

Commune	Village	1998 Census (households)	Provincial committee (households)
Sen Monorom	Pu Hieb	98	262
	Pu Tu	27	58
	Pu Reang	35	72
Dak Dam	Pu Roles	67	889*
	Pu Chhob	41	86
	Pu Antreng	66	121

* This value seems far too high and is most likely a typing mistake.

Of those interviewed, 52% had lived in the village all of their life, whereas 12% had arrived in the previous five years, 14% had arrived between six and 10 years ago, 14% had arrived between 11 and 20 years ago, and 8% had arrived between 21 and 30 years ago. People had originated both from throughout Cambodia and from adjoining districts,

34 Reported in Provincial Consultation Meeting, 18th August 2005 in Mondolkiri province (Unofficial Notes, R. Peterson, NGO Forum on Cambodia). The meeting was chaired by Second Deputy Provincial Governor H.E. Sok Run.

35 Field research was conducted in March 2005. Since that time, Wuzhishan has continued with its activities as detailed above, which has led to major protests by the villagers.

to settle in the villages. People said they had moved to the area to find land, to find work, because living was easier, or because the area was good for agriculture.

86% of interviewees did not want to move to another area, 8% said they did want to move, and 6% were not sure. In general, people wanted to stay in the area because it was their homeland, it was easy to make income, they owned farmland, and they were near services such as schools.

8.2 Livelihood

8.2.1 Present occupation

In total, 98% of those interviewed were engaged in some form of agricultural activity (Table 8.2). 93% grew crops (either wet-season rice³⁶ or mixed garden, or both). Villagers traditionally conduct swidden agriculture on their chamkar land.

Table 8.2: Agricultural activities for villages visited in Mondolkiri province

Agriculture activity	% of interviewees	Notes
Wet season rice	65	Primarily for family to eat. Typically each family owned between 1 and 2 Ha.
Dry season rice	0	No interviewees conducted this activity.
Chamkar (papaya, corn, potatoes ...)	83	For selling and for eating. Typically each family owned between 0.5 and 2 Ha.
Pigs	83	Typically families owned between 1 and 3 pigs, although 1 family owned 15. Mainly for selling, also for eating.
Chickens	91	Typically families owned between 3 and 10 chickens, raised for both eating and selling.
Buffalos	21	Families that owned buffalos typically had 1 or 2, used for agriculture, and sometimes for selling.
Horses	1.2	1 family interviewed owned a horse.
Ducks	14	Families typically owned 2 to 4 ducks, although some owned more. Raised for selling and eating.
Cows	43	Families typically owned between 1 and 5 cows. Raised mainly for selling and sometimes for agriculture.
Sheep	6	Families typically owned 1 to 4 sheep. Selling and eating.

Of those who conducted agricultural activities, 65% said that the company's activities had affected this, 32% said they hadn't, and the remainder was not sure. Table 8.3 summarizes explanations given as to how the plantation had affected agricultural activities. Four interviewees who had said that the company had not affected them still pointed out that it was affecting the spirit forests and ancestral burial grounds.

Table 8.3: Company effect on farmland (open question)

Response	Respondents (%)
Farmland taken	57
Pesticides had affected the grazing land for their cows and buffalos	25
Effect on my farmland	7
Water poisoned by pesticides	5

³⁶ According to a report by Action Against Hunger (2004) that researched food security in Mondulkiri province, rice production in Sen Monourom and Ou Reang Districts is primarily 'Chamkar' (*i.e.* shifting agriculture) due to the poor soil quality of the plateau area. Indeed, the report notes that 'Sen Monourom and O'Reang Districts are clearly where communities are most food insecure. Due to the topography of this area and environmental conditions, local farmers lack the capacity to cultivate an adequate surface area of land that would produce enough quantities of food (particularly rice) ...'

Animals had died from pesticide poisoning	4
Animals stolen by company workers	4
Fruit stolen by company workers	2
Land stolen will affect that available for future generations	4

* Results expressed as a % of the 56 respondents who said the company had affected their farmland.

** Total number of responses was 59, because three people replied on more than one point.

In a focus group held in Sen Monorom commune (22.5.05), it was revealed that many woman villagers do not now go out to farm, because they are afraid company workers will rape them. This perceived lack of security seriously affects these households' agricultural activities.

8.2.2 Food security and debt

88% of villagers said that they do not have enough food to eat and 12% said that they did have enough food.

33% of interviewees said that since the company had arrived their food had changed; 65% said it had not and 2% were not sure. Of those who said their food had changed, four respondents pointed out that there was no rain this year, affecting their crops, and three said that this year their crops had not been growing well. Four complained that they could not graze their animals because the company had cleared the grasslands; two said that they could not grow food because they had lost their land.³⁷ Another respondent complained that prices had increased in the area. On the other hand, one respondent said that they could earn more money now by clearing forest; another, who was a seller, said that business was better now that the company had arrived.

84% of those interviewed had no debt and 16% had debt. They borrowed from relatives, neighbors and local rich people.

8.3 Impact on the environment and livelihood

8.3.1 Use of pesticides

As stated in Section 8.1.2, between mid-September 2004 and January 2005, Wuzhishan sprayed large areas of grassland with the herbicide glyphosate to clear the vegetation in preparation for planting pine seedlings.

73% of those interviewed confirmed that the company had used pesticides; the remainder was not sure. 22% of those interviewed said that they had been told about the effects of the pesticide on their health; 64% said that they had not and the remainder was not sure. It should be noted that while some villagers were warned by the company, these were mostly the workers on the plantation. NGOs have been disseminating information more widely to communities warning them about the potential hazards of glyphosate. Mr Chous Malong, Acting Director of Police, Dak Dam commune, said in a focus group held on 24.5.05 that the company did not consult the villagers about the impact of the pesticides. Workers were not given protective clothing when applying the pesticides to the grassland (Pyne, 30.9.04).³⁸

37 Not everybody who had lost their farmland equated this with a change to their food. As stated in Section 8.2.1, 57% of people said they had lost either some or all of their farmland.

38 40% of interviewees were able to confirm this, while the remainder was not sure.

In a focus group interview in Sen Monorom commune (22.5.05), villagers said that on 15 November 2004 one buffalo died as a result of spraying near their village: when they opened up the body they found that the animal's intestines were damaged. They said that the pesticides had made villagers sick, including diarrhea, passing blood in stools, vomiting and fever.³⁹ They said that since the pesticides had been sprayed villagers had stopped using the stream water.

8.3.2 Fisheries

71% of interviewees said that they used to go fishing and 29% said that they did not. Since the company's arrival, 62% said that they had been fishing and 38% had not. Of the nine respondents who had previously fished but had not since the company arrived, three explained that this year there had been a drought and so they could not catch fish; the remaining six did not give an explanation.

All interviewees were asked how fish stocks had changed since the company's arrival. 94% said that fish stocks had decreased, 1% said that there had been no change, and 5% did not know. Table 8.4 summarizes explanations provided for perceived falling fish stocks. Although a number of respondents identified the company's activities as responsible for falling fish stocks, a general increase in illegal fishing activity, together with a drought this year, was perceived as the main explanation.

Table 8.4: Explanations for decreasing fish stocks since the company arrived

Explanation	Respondents (%)
Illegal electro-fishing activity	49
Drought	27
Illegal fishing with explosives	25
Poisoning by pesticides sprayed by Wuzhishan	10
More people fishing	9
Company activities	3
Increasing fish price	1

*9 respondents provided no explanation; 10 respondents provided two explanations.

8.3.3 Water resources

62% of respondents said that the company had affected local water resources; 23% said there had been no effect and 15% were not sure.⁴⁰ Of the respondents who said the company had affected water resources, the majority (96%) blamed this on the company using pesticide on the grass which was subsequently leached into the water sources when it rained. 23% of respondents said that they were now afraid to use the water, and 9% specifically identified that the company had affected water that they used. 8% said that they had suffered negative health effects (mainly diarrhea). 8% of interviewees also put forward that animals drinking the water had become sick and some had died. One interviewee said that the company clearing the forest affected overland flow of water.

8.3.4 Non-timber forest products

Before the company arrived, 81% of those interviewed collected NTFP of some form (including firewood) and the remainder did not. After the company arrived, 83% collected NTFP and the remainder did not.⁴¹ Table 8.5 presents the types of NTFP

³⁹ No appropriate scientific tests were conducted to either prove or disprove the villagers' claims (also applicable to Section 8.3.3).

⁴⁰ Explanations as to how the company had affected the water resources represented an open question.

⁴¹ One family, which did not collect NTFPs before the company's arrival, reported collecting NTFPs following the company's arrival. No explanation was offered.

collected by villagers before and after the company's arrival. It should be noted that there are no resin trees in Dak Dam and Sen Monorom communes, and that the villagers travel significant distances to Sen Monorom district to collect resin.

Table 8.5: NTFP collected before and after the plantation's establishment

	Before		After	
	Family (%)	Income (%)	Family (%)	Income (%)
Firewood	70	1	71	1
Charcoal	5	0	1	0
Traditional medicine	29	4	26	0
Fruit	38	19	40	15
Young bamboo	38	2	35	1
Resin	16	41	23	33
Honey	14	4	12	1
Bamboo	35	1	35	2

Of those collecting NTFPs, 49% said that they had to travel further than before, 41% said that they traveled the same distance, and 10% were not sure. When traveling further to collect NTFPs, more effort is required and villagers cannot collect as much. In total, 5% said that they had been threatened by the company staff or company guards while collecting NTFPs (four households).

Collection of seasonal forest fruits and resin was the primary source of income derived from NTFP collection. Income generated by resin was significant. 24 respondents derived their typical monthly income from resin, which averaged as US\$15.13/month and ranged between US\$1.88 and US\$50/month. Four other respondents said that they made between US\$10 and US\$15 per season.



The seasonality of fruit makes income estimation especially difficult. Three respondents said they earned US\$5 per season, and three said they earned US\$7.50 per season. However, two respondents said they earned US\$1.25 per season. Others provided a daily income while fruits were in season, which ranged between US\$1.25 and US\$10 per day.

8.3.5 Timber

72% said that they had access to enough timber before Wuzhishan arrived, 26% said that they did not, and 2% did not know. After Wuzhishan's arrival, 28% said that they had access to enough timber, 66% said they did not, and 6% were not sure.

Of those who said that nowadays there was not enough timber, 63% said that previously there had been.⁴² The main reason offered by this group of interviewees was that Wuzhishan had cleared the natural forest to plant pine trees (61%). Others noted that the local authorities did not permit villagers to cut the forest (11%), which then raised the question as to why Wuzhishan could.

According to the WGMAFF (July 2005), 'In general, there is forest in the valley, but there is no deforestation by the company; and the company only grows pine trees on top of the mountain, and the steep hill where there are few KUMPREK bushes and were cleared for planting pine trees [sic].'

8.3.6 Wildlife

76% of interviewees thought that the amount of wildlife had decreased since the company had arrived; 10% said it had increased and 1% thought there had been no change. The remainder was not sure.⁴³ Of those who thought the amount of wildlife had decreased, 40% blamed this on the amount of hunting in the area by many different actors (local community, military, police, company staff and outsiders). Others blamed the company, naming as causes a loss of habitat (32%), pesticide spraying (9%), and the sound of machines (2%). Three interviewees noted that they had recently seen dead wildlife, for example wild pigs.

Of the 10% who said that wildlife had increased, the majority explained that this owed to improved protection activities that had reduced that amount of illegal hunting (78%).

The proposed plantation area abuts key wildlife habitat (Phnom Prich and Phnom Nam Lyr wildlife sanctuaries) and therefore could, among other impacts, disrupt the stomping grounds of one of Southeast Asia's most important remaining elephant populations (Pyne, 30.9.04).

8.4 Resettlement and loss of assets

At the time of writing, the precise extent of loss of assets for villagers is unknown because the precise boundary of the plantations in vicinity to villages remains under negotiation. According to the concession contract, seen by the Director of Provincial Administration, Mondolkiri province (Personal Communication, 22.3.05), the company will only plant pine trees on free land. Furthermore, the concession will not be established on indigenous people's land. This, however, has clearly not been the case to-date.

42 The remaining 37% said that even before the company had arrived there was not enough timber. One respondent pointed out that in the past the area was heavily logged by Khmer Sathapana Company. 52% of these respondents said that there was not enough timber owing to companies clearing the forest, although it is not clear whether they were referring to Wuzhishan or Khmer Sathapana Company, or both.

43 Explanations were an open question.

As seen in Section 8.2.1, 57% of interviewees said that they would lose some of their farmland. Furthermore, it is certain that a large area of grasslands away from the village centers, presently used by villagers for grazing cattle, are being lost. Natural forest and fruit trees (both in forests and on open grasslands) are being felled, which are vital to NTFP collection. Important cultural sites, namely, spirit forests and burial grounds, have also been destroyed. Finally, animals, fruit and crops are being stolen by the workers.

Land ownership is complicated by the communal ownership systems adopted by the indigenous Phnong people. The 2001 Land Law makes specific allowances for communal titles, although the specific sub-decree detailing these ownership rights remains to be passed (NGO Forum on Cambodia, 2005). The indigenous collective title can include: residential land; agricultural land; and land kept in reserve as part of a traditional rotational system. It is not clear whether spirit forests and burial forests can be included within collective title.

8.5 Access to the plantation area

Table 8.6 indicates interviewees' understanding of access to the plantation area for various activities. With the exception of access for travel, over half of all interviewees thought they were not permitted to enter the plantation area for usual livelihood activities.

Table 8.6: Access to the plantation area

	Yes	No	Not sure
Access to hunt wildlife	12	66	22
Access to collect NTFP	16	62	22
Access to water resources	15	59	26
Access to travel	40	38	22

8.6 Employment on the plantation

According to the First Deputy of Sen Monorom commune, 36 villagers from the commune worked for the company. According to the Commune Chief of Dak Dam commune, 288 of the local population worked for the company, most from the indigenous communities. According to the Ou Reang District Governor, Mr Ngam Pheng, in July 2005 there were over 3,000 workers at the Wuzhishan site (Naren, 7.7.05). The workers are located at 11 sites, living out in the forest. According to local NGOs, the company will not provide information about its employees.

In total, 21% of households interviewed said that they had household members working on the plantation.^{44, 45} Types of work included: preparing plastic bags for pine seedlings by filling them with soil; planting pine tree seedlings; preparing the land for planting by digging furrows; and cutting down trees. Each worker worked eight-hour days, from 7 to 11 am and then from 1 pm to 5 pm; most workers had been engaged for between one and four months on the plantation, although two interviewees said they had been

⁴⁴ Those interviewed were not necessarily the member of the household working on the plantation.

⁴⁵ According to more recent reports by local NGOs (August 2005) the majority of workers on the plantation are now migrational and very few indigenous Phnong people are employed.

working for the company for one year. Salary ranged between US\$30 and US\$42.50 per month, with several workers also receiving 25kg of rice per month.

Of those who worked on the plantation, 28% said it was very difficult to get work, 33% said it was difficult, 11% said it was easy, 6% said it was very easy and the remainder was not sure. Overall, for all interviewees, 11% said it was very difficult to get work, 13% said it was difficult, 8% said it was easy, 8% said it was very easy, and 60% were not sure.

67% of the workers confirmed that children (defined as those under the age of 16) worked on the plantation.⁴⁶ With the exception of cutting down trees, children did the same types of work as adults. One interviewee said that the children did the same work as older men employed on the plantation.

Of those interviewed whose household members worked on the plantation, 33% said the relationship between the workers and the company was okay, 22% said it was bad, and 45% were not sure. Nobody said the relationship was good. When asked if the company made problems for the workers, 33% said yes, 11% said no, and the remainder was not sure. Those who said yes detailed: when sick they cannot ask for personal leave; they have to work hard; they do not get enough salary; they were worried by the alleged case of rape among the workers; there was pressure on them to work hard; and the workers stole sheep, dogs and cows from the villagers to eat.

UNCOHCHR (2005a) reports working conditions on the plantation as harsh, and notes that very little detailed information is available (including the precise numbers of Cambodian workers on the plantation, or the number of company technicians from the People's Republic of China). For example, despite the fact that malaria is endemic in the area, workers are not provided with mosquito nets; this contributes to the fact that in May 2005 over 30 workers were treated in the provincial hospital for malaria, the cost of which was not covered by the company. This is arguably a breach of labor law.



Photograph 11: Wuzhishan's pine seedling nursery in Sen Monorom district, Mondolkiri province.

⁴⁶ 11% said that children did not work on the plantation and the remainder was not sure.

On 5 July 2005, a truck crash at the Wuzhishan site resulted in the death of one worker from Kampong Thom province. 30 others were injured, five seriously. According to the *Cambodia Daily*, the Ou Reang District Governor commented that the company often overloads its trucks when moving workers (Naren, 7.7.05).

8.7 Consultation between company, local authorities and villagers

86% of interviewees confirmed that they had not been consulted before the company commenced its activities; 8% said that they had and 6% were not sure.

It is known that there has been very little communication even between the local authorities, the provincial government departments and the company. This was so especially at the time of the company's initial activities, because central government had already granted permission.⁴⁷ Requests for information from the company by commune councils and others resulted in the disclosure of no information. Many problems have arisen as a result of poor communication.

8.8 Perceived relationship: company, authorities and villagers

Table 8.7 presents the perceived relationship between company, authorities and community. For those who provided an answer, some thought the relationship between the community and the authorities was good or okay, whereas the majority thought the relationship between the community and the company was bad. More people were unsure about the relationship between the company and the authorities, although most that answered considered it bad.

Table 8.7: Perceived relationships between company, authorities and community

	Good	Okay	Bad	Not sure
Company and authorities	2	7	43	48
Community and authorities	41	19	10	30
Community and company	1	1	65	33

8.9 Summary

The Wuzhishan concession has had serious negative impacts on the local, mainly indigenous Phnong, people's livelihoods, provoking serious protests and necessitating central-level government intervention in negotiations for a resolution. A lack of consultation with the local population during the initial stages of the concession's development has led to a serious mistrust towards the company and a general feeling that local people's concerns are not being adequately addressed. Similarly, local government departments and the local authorities were not consulted, and have been left on the sidelines in the decision-making process. An inter-ministerial commission charged with defining the nature of the dispute between the local population and Wuzhishan

⁴⁷ According to Mr Chhet Sophal, Acting Director, and Mr Gnam Sophal, Deputy Director, of the Provincial Department of Environment Wuzhishan did not consult the Provincial Department of Environment officials about their activities because they had a letter of permission from central Government. The department did not receive any of the relevant documents (interviewed 24.3.05).

company, and with negotiating a solution, has yet to resolve the conflict. Because neither the contract nor an official map of the concession area have been publicly released, it is not possible to evaluate the overall extent of the concession's impact, apart from that which has already occurred, which is significant.

Social impacts from the plantation are numerous and include, so far: destruction of burial grounds and spirit forests that are central to the indigenous Phnong population's values and beliefs; loss of communal land, including grazing land and forested land; loss of access to natural resources including grazing land, NTFP and water sources; impacts on individual land holdings; a climate of fear for personal security and increased theft of personal property; health problems; and impacts on other development projects. Environmental concerns include: impact on wildlife owing to loss of habitat; potential impact on nearby protected areas were the concession to be developed to its full extent; and impact on local water balance that will result from replacing grassland with pine trees. The infringement of the concession on the 'Seima biodiversity conservation area' is also of concern.

No environmental or social impact assessment has been made as stipulated by the law. The absence of the sub-decree on collective land titling means that the Land Law cannot be applied in its entirety, i.e. taking account of the special circumstances accorded the indigenous peoples of Cambodia, in particular the entitlement to collective land titles and the protection of burial forests and spiritual forests.

Asked how they felt about the company, 88% said they did not like the company; 11% said they did like the company because they could get work and 1% said the matter depended on the government. It could be argued that all of the concession could actually be considered subject to communal land titling, and should be accounted for in the inter-ministerial commission's decision. Some villagers want the company to leave, but most are willing to negotiate and accept the company as long as it does not encroach on their land. Numerous protests have arisen in response to the plantation's development. To-date, the inter-ministerial commission has stated that the villagers are asking for too much land, in particular in Dak Dam commune, where villagers have requested a 10km clearance around each of their villages.

9. Findings: Prey Veng and Svay Rieng Provinces

In Prey Veng and Svay Rieng provinces, where wet-season rice production is the primary occupation, villagers grow acacia, eucalyptus and melaleuca trees on degraded land between rice fields and around homesteads as a valuable source of firewood and building material, either to generate income or for their own use. Villagers like the trees because they grow big and grow fast. Although around half of villagers recognized that the trees were bad for the land, this did not represent a major problem. In contrast with the other case studies, villagers in these areas are in control of their land and are able to decide which trees to plant, and what to do with the trees once they have grown.

9.1 Introduction

9.1.1 Background to area

Prey Veng and Svay Rieng provinces, located in southeastern Cambodia, are important areas of rice production, although soil quality is generally poor and the area commonly suffers from flood and drought. The area is characterized primarily by lowland rain-fed rice fields for the production of wet-season rice, with very few areas of forest and other natural resources. Many years ago the area was cleared of forest.

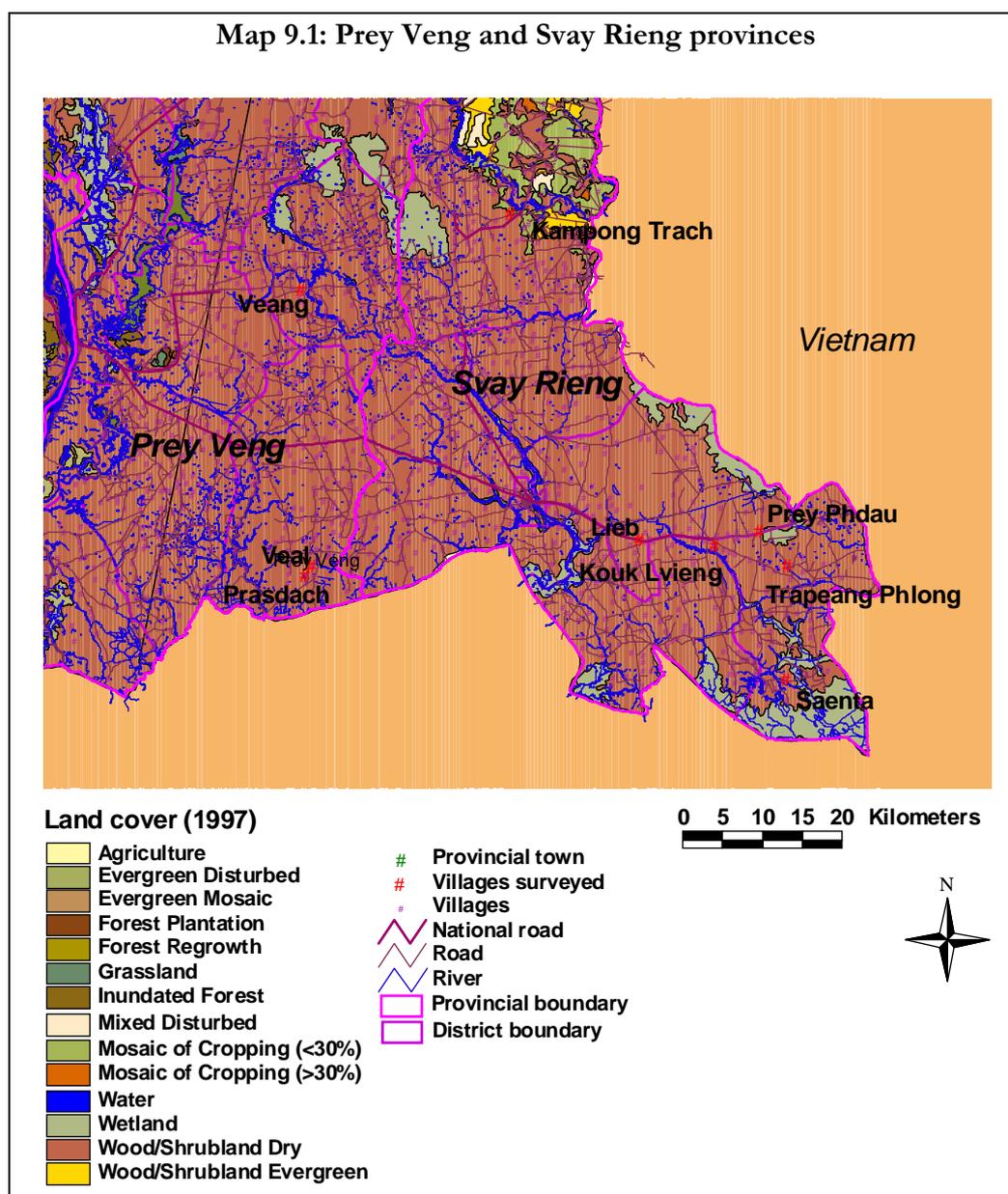
In these areas, villagers grow acacia, eucalyptus and melaleuca trees planted on degraded land between rice fields and around their houses.⁴⁸ The EFCT noted, however, that some rich community members had bought other people's rice fields and were growing fast-growing trees instead of rice. Villagers said that they grow the trees because there are no other wood sources in the area for firewood or building material and, furthermore, because no other tree types are suitable for the degraded land. The trees generally grow to around ten meters before they are cut.

9.1.2 Description of the villages visited

A total of three and seven villages were visited in Prey Veng and Svay Rieng provinces, respectively (see Table 4.2). The villages were all of a similar character; most villagers' principal occupation was growing wet-season rice.

Of those interviewed, 60% of villagers had lived in their village all their lives, 2% had lived in the village for longer than 25 years, 16% had lived in their village for between 11 and 25 years, and 22% had lived in their village for less than 10 years. Typical reasons for moving to the village included having relations living in the village, and a lack of land in their old village. The vast majority of interviewees (95%) wanted to continue living in the area, saying that it was easy to make a living in the village, that they had land, and the villages were near good roads.

⁴⁸ Melaleuca is a genus of around 170 species in the Myrtle family, the majority of which are endemic to Australia. Melaleucas are commonly known as 'paperbarks' referring to their flaky bark. In nature, melaleucas are often found along watercourses or along the edges of swamps. The wood is good for some types of construction material, such as fence posts and mine props, and is also the source of the essential oil 'tea tree oil', which is valuable as a germicide and is used in numerous products including shampoos, antiseptic creams and soaps.



9.2 Livelihood

9.2.1 Present occupation

Almost all households interviewed were farming households (90%), and most conducted animal raising as an additional income-generating activity (cows, pigs, chickens, ducks). Farmers were generally subsistence level, with any surplus rice generated sold for cash income. Stated yearly cash incomes ranged between US\$25 and US\$600, while some said they did not grow enough rice to sell a surplus. Some families interviewed were traders (26%) and fishers (31%), although in the main these activities were secondary income sources. Other jobs included laborer, teacher, government official, police and moto repair (12%).

9.2.2 Food security and debt

Asked whether they had enough food to eat, 40% of households said yes, 28% of households said no, and the remainder was not sure. 26% of villager said that they were

in debt, 69% said they were not, and the remainder gave no answer. People typically went into debt to buy food, farming machinery, animals or fertilizer.

9.3 Use of fast-growing trees

9.3.1 Types of trees grown by villagers

Three types of fast-growing trees are grown in the villages visited: acacia, eucalyptus and melaleuca (Table 9.1). It should be noted that houses were selected at random for interview; the results therefore tentatively indicate that around three-quarters of villagers grow at least one type of fast-growing tree.

Table 9.1: Types of trees grown by villagers (%)

Acacia	3
Eucalyptus	48
Melaleuca	0
Acacia & eucalyptus	17
Acacia & melaleuca	0
Melaleuca & eucalyptus	2
Acacia & eucalyptus & melaleuca	7
None	23

Of those villagers who planted trees, 65% had grown them for between one and five years, 20% had grown them for between six and 10 years, 11% had grown them for between 11 and 15 years, and 4% had grown them for longer than 16 years. Asked whether they had been taught how to plant the trees, 98% said no and 2% said yes. Similarly, 98% of people were unaware of any negative impacts associated with the fast-growing trees.

9.3.2 Growing and selling trees

Asked why they first planted the trees, 73% said that they followed other villagers. 20% said that they wanted to earn more. The remainder gave no answer. Those interviewed said that they liked to grow the trees because the trees were very big and grow fast; the wood can be sold or used by the family for construction or firewood, and they are easy to plant.

Villagers who did not plant trees explained that they had a shortage of land, or their soil was of poor quality and so they could not plant. According to some of those interviewed, seedlings planted originated from Vietnam.

31% of villagers said that they had sold the wood from their fast-growing trees (29% to local traders; 2% to outsider traders). 20% said that they only used the wood themselves. The remainder was not sure. No villagers said they sold the wood to nearby Vietnam. Trees are typically sold at around US\$5 per tree.

9.3.3 Impact on the environment

Table 9.2 presents the availability of water for villagers.

Table 9.2: Availability of water resources

	Yes	Okay	No	Not sure
Enough water now for your family consumption	56	20	22	2
Enough water now for agriculture	40	34	13	13

Asked whether the growing trees affected the quality of the land, 4% said growing was beneficial to the land, 51% said that the trees were bad for the land in terms of soil quality, 12% said that the trees did not impact the land, and the remainder was not sure. Several villagers noted that when they planted trees near a pond, fish would disappear.

9.4 Opinions of villagers who did not plant trees

Villagers who did not plant trees were asked whether they liked other villagers planting the fast-growing trees. 38% said it was not a problem, 15% said it was a problem and the remainder was not sure. Villagers who supported the planting of trees said that the trees ‘increased forest resources’, because then there was wood available for construction; if there is tree cover then there would be more rain. Villagers who did not like the trees said that they decreased the quality of the land and affected water quality. However, planting the trees had not resulted in any conflict between villagers.

Of the villagers who had not planted trees to-date, 46% intended to plant trees in the future. 38% had no intentions in this direction and the remainder was not sure. People said they wanted to grow the trees because the wood grew fast. Some did not want to grow trees because they thought that the trees degraded the land.

9.5 Summary

The situation in Prey Veng and Svay Rieng is in no way comparable with a massive monoculture plantation, as studied in Sections 5 to 8 of this report. Although many of the villagers interviewed grew fast-growing trees, considering the landscape the trees are planted comparatively sporadically and the principal use of the land is rice production. This case study does, however, demonstrate a circumstance under which the use of fast-growing trees has been seen as a valuable source of extra income for villagers in Cambodia, in addition to providing a supply of scarce wood resource for both firewood and construction. Importantly, because villagers control the land, they are able to decide which trees to plant and what to do with the trees once they have grown. While at present villagers consider that only acacia, eucalyptus and melaleuca are suitable for the land, forestry experts may be able to provide improved options which have less impact on local water resources and soil fertility.

10. Summary and Conclusions

The overall aim of this research was to evaluate the actual and potential socio-economic and environmental impacts associated with the development of plantations in Cambodia, and to gain an understanding of local people's experience of plantation development activities to-date. This report has presented the results of four field investigations of regions of Cambodia in which fast-wood plantations are currently in the process of being established, namely: Koh Kong province (Green Rich); Kampong Speu province (Haining); Pursat and Kampong Chhnang provinces (Pheapimex); and Mondolkiri province (Wuzhishan). A fifth field investigation in Prey Veng and Svay Rieng provinces explored how villagers themselves have adopted the use of fast-wood trees as a valuable secondary source of income.

Cambodia is at an early stage of plantation development: indeed, none of the plantation case studies is properly operational – all are in the process of establishment. Therefore, this research has mainly identified issues that are associated with the initial displacement of people and their livelihoods, and alteration of the original environment to that of a fast-wood monoculture. Potential impacts associated with established fast-wood plantation operations are additionally identified in the following sections as future challenges that would have to be addressed were the concessions to become operational.

10.1 Brief summary of each field site visited

Green Rich Co. Ltd, Koh Kong province

The 18,300 Ha Green Rich/Green Elite Co. Ltd concession in Koh Kong province, if once again granted permission by the RGC to proceed, will destroy large areas of the ecologically valuable Botum Sakor National Park. A comparatively small population lives near the concession, and in the larger settlement visited (Thmey and Chrouy Pras villages) dependence on forest resources was secondary to the primary livelihood strategy of fishing and agriculture. However, were the plantation to be established, it is highly probable that these livelihoods would be negatively affected owing to loss of mangrove forest as well as pollution of water courses and impacts on water availability from the planting of acacia. No consultation was held with the local communities, and some are unaware of the development. The concession area exceeds the 10,000 Ha limit stipulated by the 2001 Land Law. The company has demonstrated a disregard for its workers, and severe human rights violations were identified on the concession site when, in May 2004, it was found that workers were held involuntarily under harsh working conditions. This necessitated their rescue by police and NGOs. In January 2005, the RGC raised a court case against Green Rich following its ongoing disregard of the government's orders to stop cutting trees until the company had fulfilled the appropriate legal criteria.

Cambodia Haining Group Co, Kampong Speu province

Cambodia Haining Group Co. was approved a 21,250 Ha concession in 1998 in Kampong Speu province with no consultation with local communities and directly undermining the development work of the international NGO Lutheran World Federation that has been active in the area since 1997. Initial attempts by the company to clear the forest in 2002 met with resistance from villagers and the international NGO Global Witness, which forced the company to suspend its operation. Despite this, the ongoing presence of the company has resulted in an insecurity of land tenure among the

local population, as well as a climate of intimidation and threat. Villagers make their livelihoods either as farmers or as charcoal makers, or a combination of both. Availability of low-grade wood suitable for making charcoal has been noted by villagers to have decreased overall as a result of local resource depletion and the company's activities. Livelihoods in the area, therefore, are intimately linked to both the land and the forest, and loss of access to these resources would destroy the local communities' means of living. Were the concession to go ahead, LWF estimates that 26 villages located in four communes would be affected. At present, Haining has a six Ha cassava plantation established which represents a risk to the health of the local population, as well as to their livestock.

Pheapimex Co. Ltd, Pursat and Kampong Chhnang provinces

Local communities have vocally opposed the huge 315,028 Ha eucalyptus plantation of Pheapimex Co. Ltd in Pursat and Kampong Chhnang provinces, approved by the RGC in 2000. The concession massively exceeds the 10,000 Ha limit of the 2001 Land Law, has been subject to neither an EIA nor a SIA, and was developed with no consultation with local communities. Protesting villagers blocked the company's initial attempts to establish the concession in 2000. The company renewed its efforts in late 2004 in partnership with Wuzhishan LS Group, although local communities also met this attempt with similar resistance. A grenade attack on sleeping protestors in November 2004 made international headlines; the perpetrator was never arrested. Farming is the principal occupation of villagers living in the area, with NTFP collection an important secondary (and in some cases primary) activity. This has already been negatively affected by the company to a considerable degree. Very few local villagers have been employed by the company. 88% of villagers were not happy with Pheapimex's arrival, and nobody interviewed said that they were happy that the plantation was being established. The potential development of a pulp and paper mill, notorious for water pollution, is also of concern regarding this concession, especially considering the close vicinity of the Tonle Sap Lake. Pheapimex once again suspended its activities at the concession in January 2005, and plans for the concession are presently unknown.

Wuzhishan LS Company, Mondolkiri province

Wuzhishan LS Company was formed in May 2004, and received permission in principal to establish a 199,999 Ha pine concession in Mondolkiri province in August 2005, with 10,000 Ha approved for immediate development. Sen Monorom and Ou Reang districts, where the concession has been granted, are home to many indigenous Phnong communities, and the company's activities to-date have resulted in the destruction of grazing land, farmland, spirit forests and burial grounds. Furthermore, protesting members of the local communities have been subject to threats. Local communities have had their livestock and crops stolen by company workers. Villagers have blamed the liberal application by the company of the herbicide glyphosate to clear the grasslands characteristic of Mondolkiri of resulting in the death of cattle, the pollution of water courses, and negative impacts on human health. While glyphosate is a comparatively non-hazardous herbicide, it is by no means certain that the volumes and concentrations used, and the method of spraying, have resulted in a hazard-free application. There has been no consultation with the local communities or the local authorities, with decisions taken regarding the concession's development made at a central-government level. Protests by villagers in June 2005 resulted in the formation of an inter-ministerial committee, although no equitable resolution between Wuzhishan and affected villagers has been reached to-date between the two parties regarding allocation of land. Wuzhishan has also encroached on land set aside for a Japanese plantation company, Marubeni Development

Corporation. In this case, the inter-ministerial commission has ordered the return of the encroached land to Marubeni. The designated concession area overlaps in part with the 'Seima biodiversity conservation area.' In contrast with other plantations studied, Wuzhishan has employed a significant number of the local population, although working conditions are difficult.

Local use, Prey Veng and Svay Rieng provinces

In Prey Veng and Svay Rieng provinces, 77% of villagers interviewed were found to have grown at least one type of fast-growing tree (acacia, eucalyptus or melaleuca). The trees were planted between rice fields, in a manner in no way comparable with fast-wood monocultures planned for the other provinces visited. Wood from the trees was used either directly by the owner or sold locally as timber or for firewood, and constituted a valuable resource of wood, timber and income. While 51% of villagers said that the trees were bad for the land, this was not considered a serious drawback and had not been a source of conflict between villagers. Just under half of those not growing the trees at present said that they also intended to start planting fast-wood trees in the future.

10.2 Environmental impacts

This research has demonstrated that the process of establishing plantations in Cambodia has had an adverse impact on the environment to-date, with further negative impacts inevitable in the future. The destruction of large swathes of forest to make way for monoculture tree planting has resulted in an overall decrease in biodiversity. This loss is significant when considering both the watershed functions and the ecosystem-stabilizing properties of extended forested regions. Adequate valuation of these functions has not been conducted. Forests play a critical role in the hydrological cycle, as well as stabilizing soils, and determine rates of overland flow and soil infiltration. In the case of the Green Rich concession, changes in watershed may have a significant impact on local fisheries, upon which most local communities depend. Whether the cleared forests are degraded, recovering degraded or primary forest is found to be a point of contention in all cases. This definition is critical for categorization according to the Land Law 2001 and related laws that determine whether forested land is classified as state public or state private, only the latter of which may be used for economic concession development.

In all case studies, to varying extents, villagers said that there had been an overall decrease in the abundance of wildlife. While some of this was blamed on hunting, company forest clearing activities that resulted in loss of habitat were also cited, as well as the use of heavy machinery and other company activities which scare wildlife away.

All concession developments had affected local water resources. Some villagers in each case study had identified the pollution of water courses by changes in water color. Accusations of water pollution were strongest at the Wuzhishan concession, where the villagers accused the company of contaminating water with the herbicide glyphosate; whether there is a health risk or not has not been proven, but it was still perceived as such by the villagers who had stopped using the water resources for drinking and bathing at the time of the field trip. In the case of the Pheapimex concession, villagers said that the company had filled in streams upon which they had depended for watering their cattle, and that fisheries were also negatively affected. There was general concern in most areas that even if villagers were not alienated from their land, the impact of the fast-growing trees on the local water balance would affect agriculture. Fast-growing trees are well

known to lower ground water tables and desiccate streams because of their voracious appetite for water.

There was no evidence of accelerated soil degradation and pest infestation to-date, as well as no impacts from the routine use of pesticides. This, however, is because Cambodia is at an early stage of plantation development, and none as of yet are properly established and operating. That is not to say that they will not represent a significant risk in the future, especially if the plantations are poorly regulated, which is very possible.

10.3 Social impacts

This research has documented numerous actual and potential social impacts resulting from attempts to establish plantations in Cambodia. Importantly, the research found an intimate link between communities and local forest resources in the collection of NTFPs, including in particular: firewood and charcoal production; traditional medicines; resin production; and forest fruits. In the Pheapimex and Wuzhishan concessions, and especially in Haining's concession, NTFP was central to livelihood strategy. At a minimum, NTFPs form a safety net for when harvests fail. For many, however, NTFPs constitute a more central function in securing livelihood and are collected either as the primary occupation, or as an important secondary one. NTFP are collected both for home use and to generate income. The results of the survey indicate that villagers can earn significant amounts of income from NTFPs on a seasonal basis. Therefore the clearance of local forest, whatever its classification, will have a significant negative impact on livelihood. Other uses of forest, such as for grazing cattle, will also be lost.

This research has also documented cases where villagers have already lost land, especially at Wuzhishan's concession, although villagers more commonly said that if the concessions are developed to their full intended extent they will then lose their agricultural land. Importantly, in particular for the Pheapimex and Wuzhishan concessions, maps demarcating areas to be set aside for communities are not currently available. Villagers were not clear how much compensation would be received for their loss and whether it would be enough to reestablish themselves elsewhere. However, villagers did not want to lose their land. On a case-by-case basis, some villagers also reported loss of access to resources, including NTFPs, water resources and fishing areas.

It has been proposed in Cambodia, as in other countries, that the plantation companies will generate employment for the local populations. This research has been found, however, that, with the exception of Mondolkiri province, the companies had not provided significant employment for the local populations, and instead had employed workers from outside the area. Some interviewees said that they were glad the company had arrived to provide employment, although these were in the minority. The majority had been unable or did not know how to get employment on the plantation. In the case of Pursat and Kampong Chhnang provinces, villagers were unwilling to work on the plantation, knowing that it would destroy their means of existence. Furthermore, it is clear that the companies, even if they did employ the local population, could not provide enough sustained employment to engage all of those whose original livelihoods were lost owing to the plantations development. Overall, working conditions on the plantations are difficult at best and, in the case of Green Rich's concession, horrendous; conditions are not perceived as desirable in contrast with local communities' present way of life.

In all concessions, with the exception of Green Rich, the arrival of the company has been accompanied by threats and intimidation against those elements of the local communities that have resisted the development. At Haining's concession, villagers live under a constant insecurity of land tenure, as it is unclear what Haining's plans are for the future. At Pheapimex's concession the threat is more direct and, although operations are currently suspended, it is likely that operations will return in the future. In the case of Wuzhishan's concession, at the time of writing, the company continues to develop its concession, with an inter-ministerial committee attempting to negotiate an equitable distribution of land between the company and the local communities.

The overall relationship between the companies on one hand, and the local authorities and the communities on the other, is found to be poor. No consultation has been undertaken in advance for the granting of any of the concessions, and there is very poor communication, with most decisions taken at a central level of government. Very little information is publicly available regarding the concessions, and little is actively disseminated to local communities, who are not empowered to respond to the concession's development and have no voice in the approval process.

10.4 Overall conclusions

In conclusion, communities' experience of plantation development to-date in Cambodia is associated most strongly with alienation from, and destruction of, the natural resources and land upon which they depend, with few new livelihood opportunities offered in exchange. The companies routinely use armed guards and police to protect their concessions, intimidating villagers. There is a constant fear for personal security and a decrease in confidence regarding the future. Because of the poor communication between the companies and local communities, there is a general feeling of distrust and even animosity between the involved parties. In the concessions visited there has been a negative impact on the environment, mainly as a result of the clearance of forested areas. Concessions have, in some places, impacted access to and quality of water resources, and have decreased the abundance of wildlife. Communities reported, overall, that their experience of the development to-date had been negative and many did not want the plantations to go ahead. In some cases, notably at Wuzhishan's concession, local communities are willing to negotiate with the company, whereas in others, in particular the Pheapimex concession, villagers do not want the company's presence at all.

The development of fast-wood plantations is at an early stage in Cambodia. In all four concessions visited, forest clearance was at a comparatively early stage, as was land appropriation, and widespread planting of fast-wood trees had not commenced. It should be noted that all concessions visited are in breach of the 2001 Land Law, which states that in all but 'exceptional circumstances' concessions should not exceed 10,000 Ha in size. The lack of EIA and SIA in all concessions is of serious concern; in the case of the Green Rich (Botum Sakor National Park) and Wuzhishan (Seima Biodiversity Conservation Area) concessions, the complete disregard of the status of protected areas is also worrisome. In the case of Wuzhishan's concession, special attention should be paid to the rights of the indigenous populations, who are particularly vulnerable; the active role paid by the inter-ministerial committee in attempting to resolve these problems is a positive step.

While the companies have ambitions to develop their concessions, resistance by the local populations at the Pheapimex, Haining and Wuzhishan concessions, and action by the RGC in the case of the Green Rich concession, have impeded development to-date. The fact that such objection has occurred should encourage decision-makers to reevaluate the potential benefits and drawbacks of fast-wood plantations in Cambodia, and once again appraise whether the plantations will satisfy Cambodia's development goals. In particular, it is necessary to address whether the concessions will benefit the poorest and most disadvantaged, many of whom are presently making their living from the land on which the plantations will be established.

The recommendations for this report are presented in full in the Executive Summary.

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