

STATEMENT BY CIVIL SOCIETY

on

Draft Law

on

Authorization of Payment Guaranty of the Royal Government of Cambodia for the Hydro Power Lower Sesan 2 Company

14 February 2013

We, Rivers Coalition of Cambodia, the NGO Forum on Cambodia and Land and Housing Rights Network, are suspicious and greatly concerned about the Draft Law on Authorization of Payment Guaranty of the Royal Government of Cambodia for the Hydro Power Lower Sesan 2 Company, which is included in the agenda of 9th session of its fourth legislation term on 15 February 2013. This draft law, based on the Explanatory Note # 01. ស៊ីដណ៍. រ៉ូម៉ូ was signed by the Prime Minister of the Kingdom of Cambodia on 10 January 2013 and the Government Guaranty of Payment was signed on 12 December 2012.

The Rivers Coalition of Cambodia, NGO Forum and the Land and Housing Rights Network, like other national and international civil society and communities affected by the Lower Sesan 2 hydropower development, have been monitoring the development of this project and are greatly concerned over this new draft Law. The draft Law has not been fully consulted with people directly and indirectly affected, and civil society groups.

In addition, we are all concerned over differences of figures of villages and total numbers of affected families living along the Sesan and Srepok Rivers to be affected directly and by the Lower Sesan 2 Hydro Power Dam project. As stated in the Explanatory Note, there are six (6) villages (Kbal Romeas, Sre Sronok, Chrob, Sre Kau Mouy, Sre Kau Pi and Pluk) with a total of 515 families in 2010, estimated to increase to 797 in 2014. In contrast, the Full Environmental Impact Assessment Report prepared by Key Consultant Cambodia which was recognized by the Ministry of Environment and the Electric of Vietnam in December 2009, showed that this project will affect eight (8) villages (Kbal Romeas, Sre Sronok, Krobei Chhrum, Chrob, Sre Kau Mouy, Sre Kau Pi, Ksach Thmei and Pluk) which are located in 4 communes in Sesan District with a total population of 1,025 families in 2008 and estimated to increase to 1,529 in 2012.

To alleviate concerns and suspicion by people as well as civil society and to ensure transparent development, we would like to request the following:

1. That the National Assembly delay adoption of this Law in order to allow sufficient time for more detailed study of impact and verification all data and documents.
2. That the Company and all relevant competent authorities publicly elaborate the figures stipulated under this new draft Law and disclose publicly the figures of affected people stated in the EIA report and the Explanatory Note to avoid conflicts such as claims by local people during project implementation.

3. That the company and all relevant competent authorities make the resettlement plan and compensation mechanism for and disclose the Implementation Agreement (IA) so that stakeholders can seek to understand and study these.
4. That the company and all relevant competent authorities consult widely on the policies or plans related to the project development with local people, civil society and relevant institutions.

We strongly believe and hope that the National Assembly, the company, all relevant competent authorities, in particular, the Royal Government of Cambodia with **Samdech Akka Moha Sena Padei Techo Hun Sen** as Head, will review this draft Law and respond positively to our request and concerns in order to ensure sustainable development and reduce people's poverty in accordance with the Rectangular Strategy Phase II of the Royal Government of Cambodia.

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