

Submission by indigenous people of Cambodia



**To the Asia Preparatory Meeting for United Nation Permanent Forum on Indigenous
Issues Held in Malaysia on 4-6 March, 2009**

On

Facing-Crisis Indigenous People of Cambodia

Preface

Facing Crisis-Indigenous People of Cambodia

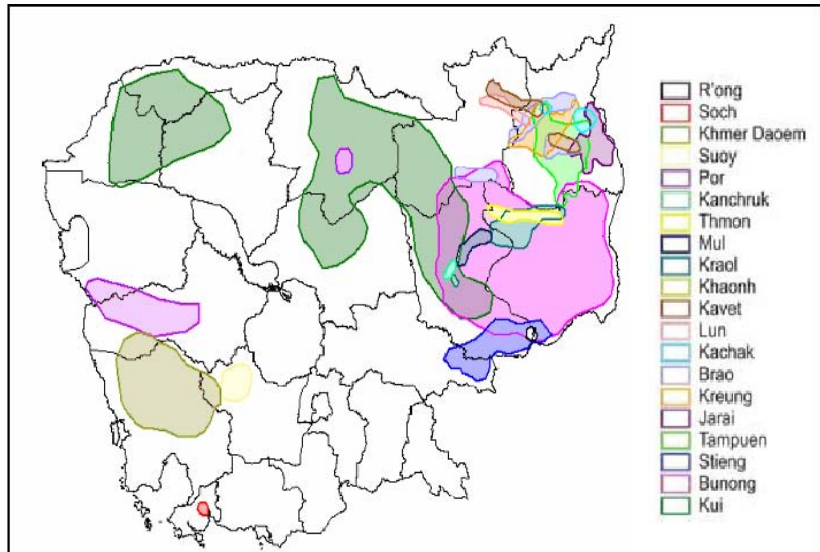


Submission by indigenous people of Cambodia to the Asia preparatory meeting for United Nation Permanent Forum on Indigenous Issues held in Malaysia on 4-6 March, 2009

Indigenous people are estimated to be the traditional managers of over 4 million hectares of Cambodia's forest lands and ecosystems, and have been responsible for preserving stable environmental conditions for many other parts of the country (forest conservation supporting flood mitigation for example)¹.

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The 1998 Cambodian Population Census identified 17 different indigenous groups. Population estimates for indigenous peoples range from 101,000 to 190,000 or 1.4 percent of Cambodia's population.



However, traditional management of land and natural resources has begun to rapidly change, due to increasing external pressures and internal changes. Communities are losing control over the natural resources they traditionally used, as a result of land grabbing and questionable acquisition of land and resources by outsiders. These problems are being confounded by national plans which are prioritizing large-scale infrastructure developments in the areas where indigenous peoples have traditionally lived³.

Whilst indigenous peoples welcome development opportunities in their communities, this rapid change is occurring in an environment where many indigenous people are functionally illiterate in the national language (Khmer), and where weak local governance and transparency are significant barriers to indigenous peoples participating in decision-making

¹- Indigenous People Human Rights Report in Asia Cambodia, Thailand and Nepal-December 2006

2- Report of NGO Forum-February 2008

3- NGO Position Papers on Cambodia's Development in 2007-2008

processes. In this environment it is important that community solidarity and cohesion remain strong for protection of indigenous peoples' lands and territories⁴.

This Publication

This report was prepared by IP reps or IRAM (Indigenous Rights Active Members), a network of indigenous representatives from the 15 provinces with indigenous peoples in Cambodia. It was compiled as a country report on indigenous peoples' situation in Cambodia for the Asia preparatory meeting for the United Nations Permanent Forum on Indigenous Issues (UNPFII) held annually in New York. As such it is a statement by indigenous peoples of Cambodia about the situation they see within their own country and makes recommendations for change or support to agencies of the United Nations and other development stakeholders.

1-Land alienation

The hottest issues in Cambodia at the moment are of land alienation. We observed that land alienation is caused by authorities who lack grant the economic land concession to the private companies without the support of laws and by



the grabbing land by rich businessmen and the power people. These factors have negatively affected indigenous people causing people to become landless, losing individual, communal land and the land reserved for future generations. Also lost is identity, shifting cultivation and biodiversity forests. The increasing numbers of economic land concessions are happening where indigenous peoples are living. It has created conflict and caused once independent communities to become dependant. Some community members have had to encroach into the thick forest, or into the protected areas away from markets, school and health post. Here they have been intimidated by authorities. Some communities in areas with land grabbing and boundary conflicts have seen arguments and sever weakening of solidarity. Sometime there was violence and were arrested put in jail in latest of 2008⁵.

2-Forests Degradation

The forests are part of community livelihood. Indigenous people can benefit from Non-Timber Forest Products (NTFP), these being income for supporting their daily family life. Forests are also part of affirming and supporting culture biodiversity.

4- Report of OHCHR on Economic Land Concession in Cambodia-June 2007

⁵ - Indigenous People Human Rights Report in Asia Cambodia, Thailand and Nepal-December 2006 and Overview on Economic Land Concession in Cambodia-November 2008

Deforestation is affected the wildlife, increasing natural disasters, causing climate change, affecting communities' traditional occupation and is leading to lack of food that can cause chronic disease and social crisis in local communities. When the forest is degraded, people are often evicted, people intimidated by concessionaires and use of areas is limited by channels, barbed wire, or by body guard employed of military or police. People and animals could not enter or stay close to areas where they used to collect NTFP's. Sometime, violence has arisen or people have been penalized when they or their animal's cross into the area of a concession⁶. The giving of concession to companies and other private sector actors still continues in community territories⁷.



3-Mining Concession issues to be addressed

The Cambodian country has an abundance of natural mineral resources. Many are in the northeastern provinces and some are in the central regions of Cambodia. The Royal Government of Cambodia has granted concessions to a number of private companies and this has that led some communities being displaced or leave. The communities generally have two options, the first is that are forced to evacuate to a temporary location if their advocating fails. The second option is to stay where they are but know that the areas will be interrupted, contaminated with poisonous substances. Suffer the sound of explosives and see chemical substance fly into the streams, lakes or ponds causing human disease⁸.

4-Hydro electricity dam construction

Based on the RGC's policy of promoting energy through the hydro-electricity, it depends on good governance⁹. The main means of implementing these development programs, however, has been that the RGC has given development projects to private sectors actors without clear process of participation and consultation with the communities. Some communities have been relocated, the farm land flooded and the forests destroyed by the flood and by the projects. This

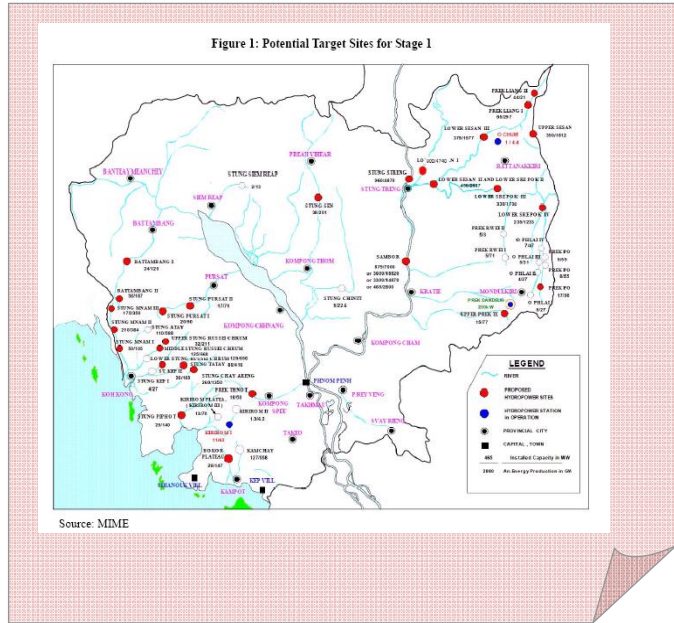
⁶ - Report of OHCHR on Economic Land Concession in Cambodia-June 2007

⁷ - Report of OHCHR on Economic Land Concession in Cambodia-June 2007

8- Mining Report of DPA-2008

9- Proceedings of the Non-Timber Forest Product (NTFP) Workshop and Seminar-December 2006

has caused poverty and disrupted daily traditional occupation. Children have dropped out of school; it was happened very often during the rainy season. This is especially the case with communities living along the Sesan, Srepork and Sekong Rivers. They are also being affected or threatened by the projects. Those projects approved by the RGC will cause flooding and other issues that leading to disaster¹⁰.



5-The fisheries deduction issue

In the good governance policy of the RGC’s rectangular strategy, fisheries reform is required. Communities have raised that fishery stocks are decreasing, it because of the fishery department poor of intervention and awareness on this policy. And the law, because of law enforcement at the ground was limited, when they seized the fishery materials then, they returned to the illegal implementers. Meanwhile, the local market for export the fishery products were at the places for transferring to other countries, especially in Kratie and Stung Treng provinces. The communities concerned on this negative impact that led to (extinction) endanger fishery; this was what communities depend on daily lives. The communities are facing to the decrease of fishery and then, they are moving away, and the child lack of nutrition, and weaken healthy¹¹.



10- Report of 3SPN

11- Indigenous and Tribal Peoples and Poverty Reduction Strategies in Cambodia-2005

6-Resettlement issues



Following from policies on land, mine clearance and development projects, these things are leading to a rapid increase in land speculation around the country; these things concern by IP communities. The consequences of this development plan reported from communities and civil society is that rich businessmen, power people and companies have displaced communities from their residence, some with compensation, some with inadequate compensation and some with no compensation. These displacements have been perpetrated by economic land concessions, land grabbing, land speculation, hydro electricity dam construction, Asian road development and mining concessions. These cases indicate that communities and their members are facing relocation from their farms, traditional occupation¹².

7-Health issues

Resulting from the globalization and development with the modernized technologies, we observed that the chemical substances are contaminating the food that humans are eating every day. This is a major cause of communities' health problems. The chemical are sometime coming from industrial plantations, mining activities mentioned above. On the other hand, communities are lacking of awareness and information related to the health care, sanitation...etc, are lacking of vaccination, there are no health posts nearby and sometimes because of the discriminations by the health post staffs. There is poor encouragement by the government to keep the forests and plants for herbal medicines¹³.



8-Education issues to be addressed

Education is core to national development. Started from this point, we observed that indigenous communities receive a poor system of education. It was caused by all of the factors outlined above. Sometime it was because of the sending teachers from Phnom Penh or other areas, rather than local people who are accustomed to IP society. The support to teachers is weak and sometimes this causes those lowlander teachers to decide to return home. In many areas bilingual

12- Land, Forest and People Facing the Challenges in South-East Asia

13- Indigenous and Tribal Peoples and Poverty Reduction Strategies in Cambodia-2005



language is not provided by the RGC, but some communities are supported. Small children speak local language, and education in Khmer suffers from a kind of language barrier that can not be solved by Khmer language education. This is why indigenous people still have low capacity and still the most of vulnerable people and are slow in development¹⁴.

9-Tourism Concession

This seemed like rapidly increased and affected to the communities' benefits and their identities at the current situation. The IP communities obtained the areas where full of natural resources that included the exiting place, sight seeing, waterfall...etc. At the beginning of the natural protection since 1997 to 2003, the local government and the RGC encouraged the community in order to protect NRM through the community based natural resources management and eco tourism. But, within the current situation are changing, the government and local authority started to grant these areas to the private sectors as tourism concession. There is now more transportation and more services, [and] an



international border crossing so tourists can cross from the neighbor countries directly accessed to those areas. Those visitors were drawn to the national parks and the ethnic minority villages. That tourism offered many benefits to minority communities. The positive effect is that communities can benefit from selling the visitors arts and crafts. However, a fresh influx of outsiders could accelerate other developments that are eroding traditional cultural practices. Some people come as

tourists to assess the land of the villagers, to see what the possibility is for a rubber plantation. They do not come to help the community. Tourism would be hurt by the threat of land-grabbing by rich businessmen, cases of which have multiplied across the province since 2004.

14- Indigenous and Tribal Peoples and Poverty Reduction Strategies in Cambodia-2005

It will strongly affect the number of tourists¹⁵. Most tourists want to see places where ethnic minority people live and farm. Yeak Lom Lake¹⁶ in Ratanakiri Province is being affected by the tourism concession planned and threatening. It was the place that everyone known that the most importance of many IPs identities in Cambodia, also Busra water fall in Mondulkiri Province.

9-Communication issues to be addressed

Communication is of great importance for indigenous society. It is part of the general and current need and, includes the media. At present communication is blocked or restricted because of lack of skill and by low participation by the local authority. Indigenous communities are remote from other communities and it is not easy to receive information and, because of the political event that led to irrespective the roles and responsibilities of working or supporting the indigenous people. Communications currently include information sharing and the support from national institution, the United Nations, NGOs, donors and the private sector. Those projects, however, are not matched to the needs of indigenous peoples and are, in some cases, are disrespectful to the community agenda. In this context, often it has a negative impact on village and commune council development and plans which is frozen, disunited and have lost the strategies in sharing information. This has slowed the development process so that it has not responded to the local community based needed¹⁷.



¹⁵ Phnom Penh Post 06 November 2008.

¹⁶ The Ministry of agriculture, forestry and fisheries granted to B.V.B. investment group on 22 Oct 2008.

¹⁷ Communication Across Cultures and Languages in Cambodia by Lun Kimhy and Sours Pinreak