

This letter was translated from Khmer Official Letter.

Samdach Akak Moha Sena Padey Techo Hun Sen,
Prime Minister of the Kingdom of Cambodia,
Cabinet of the Prime Minister, Council of Ministers

21 August 2014

CCHR Open Letter Regarding Addressing Land Disputes in the Kingdom of Cambodia

Your Excellency,

I write to you regarding the speech you delivered on 18 August 2014 at the opening of the workshop on the national strategy for food security and nutrition 2014-2018. I welcome your commitment to find solutions to land disputes in the country. Land conflicts have been plaguing Cambodia for many years, affecting an important part of the Cambodian population. One can only agree that concrete solutions that address the root causes of the land conflict situation must be identified and implemented as soon as possible.

However, considering the widespread and complex nature of land disputes, any solution will require the involvement of the government at the highest level, and a national plan and policies supported by your Cabinet. The nature of the land conflicts requires that your government ensures that existing laws are properly implemented, including by state authorities and the private sector. It is only through urgent and comprehensive action developed by you and your Cabinet that desperately needed land reform can take place which would meet Cambodia's human rights obligations to its people under domestic and international law.

Many communities and civil society members have been monitoring the land situation in Cambodia for many years, working with national, local and international agencies and affected local communities. As such, they would have valuable and relevant recommendations to make to you and your government on the reforms required to tackle the issue. I believe, if you are genuine in your desire to address the land situation, that you will welcome an open and inclusive discussion with civil society as well as understand that such reforms must be initiated by you and your government, not just dealt with by local authorities. Consequently, I believe that your government and relevant ministries should organize meaningful, inclusive, and public consultation with affected communities and civil society to design an adapted and effective policy to address the land situation in Cambodia.

I also welcome that in your speech you mention that unused land that was granted as land concessions should be, through social land concessions, given back to the people. However, I would like to insist that this is not the only measure that needs to be adopted but that rather a wide range of reforms must be put in place, with some of the most pressing highlighted

below. As a matter of priority, your government must declare a moratorium on land evictions. To increase transparency, your government and relevant ministries should make all information on land concessions, classification of State land and protected areas available and publicly accessible; and implement a transparent and effective land registration program, that avoids further exclusions and accelerates the deliverance of collective land titles for indigenous communities. Your government should also ensure that all relocation sites have adequate services; that private actors responsible for land grabbing and illegal evictions are held accountable; and that all arrest, political and judicial harassment and violence against peaceful protesters ends and that those currently detained be immediately released.

In light of the above, I therefore urge you to put your words into actions by starting to implement as soon as possible some of the recommendations highlighted above and I remain at your disposal to discuss further the Cambodian Center for Human Right's detailed recommendations on how to address the land situation in our country.

Yours sincerely,

Chak Sopheap
(Executive Director)