

12<sup>th</sup> Session Expert Mechanism on the Rights of Indigenous Peoples  
15-19 July 2019

Agenda Item 8: United Nations Declaration on the Rights of Indigenous Peoples, including study on  
Recognition, Reparation and Reconciliation.

Cambodia Indigenous Youth Association (CIYA)  
Delivered by: Chantha Lay

On behalf of Cambodia Indigenous Peoples Alliance, which is also a member of AIP. And also OHCHR Indigenous Fellowship Program. **Madam Chair**, thank you so much for allowing me to share with you about my peoples.

First of all, I would like to thank the Cambodian Government that has always paid attention on Indigenous peoples in Cambodia for recognition their traditional rights as stated in the Land Law 2001, Law on Forestry 2002; National Policy on Indigenous Development and other relevant sub-degree with indigenous peoples on the procedures of collective land registration. With this result, 24 communities were officially obtained communal land titling certification from states. However, 131 out of 500 indigenous communities are in the processing of waiting towards their official recognitions of collective land registration. It is a tedious process and it takes many administrative steps to meet the requirements from the state. In this process of land registration which takes many years that is causing the communities from land selling and transfers of their land rights to outsider with leasing out their lands through contracts; and as well as Economic and social Land Concession in the rest of Indigenous community.

**Madam Chair**, I want to raise this issue through the case of a rubber plantation, operated by SOCFIN- KCD ( it is a merger of a French company and local company called Khaou Chuly Group). They were operating in two ELCs totaling to 6,978 hectares of land. SOCFIN encroached on the lands of 7 villages in Bu Sara commune in Monduliri Province, affecting 788 families. This is a violation to article 9,10, 31 of UN Declaration on the Rights of Indigenous Peoples which states that Indigenous peoples and individuals have the right to belong to an indigenous community, maintain, control, protect and develop their cultural heritage, and no relocation shall take place without the Free, Prior and Informed Consent of Indigenous community that Cambodia voted supports in UN Generally Assembly was held in 2007. **Madam. Chair**, the communities have tried to take many actions for the respect of their rights through legal action such as taking the case to the French Court. The mediation process between the community and the company has started but the company continues to carry on its activities without respecting the negotiation process coming to a conclusion.

We want to urge the Expert Mechanism and the special Rapporteur to call on:

1. Cambodian government to accelerate the procedure of the collective land registration in a timely manner.
2. To push and implement fully the existing laws, policy and mechanism relevant with Indigenous Peoples
3. Develop budget plans separately for Indigenous Peoples so that they can fully exercise, defend, secure and promote their rights in accordance to the UNDRIP.

Thank you,