

Cambodia: “Human rights need to be at the heart of land concessions for positive impact” – UN Special Rapporteur

PHNOM PENH / GENEVA (11 May 2012) – The United Nations Special Rapporteur on the situation of human rights in Cambodia, Mr. Surya P. Subedi, urged* the Royal Government of Cambodia to act with more transparency when granting and managing economic and other land concessions, exercise more oversight over business enterprises involved with concessions, and make the process more inclusive for the individuals and communities affected.

“In the last few days I met with individuals, villages and communities affected by economic and other land concessions and heard first-hand how their lives have been affected. I received a number of distressing testimonies and got to see for myself how economic and other land concessions were impacting on the local populations, as well as the natural environment,” said Mr. Subedi, reflecting on his fact finding mission to concession areas in the provinces of Ratanakiri, Kratie and Stung Treng.

“They spoke of a system in which a very low level of transparency means that communities are often not aware when and how a concession is being granted near them,” the independent expert said. “Nor do they know much about the company to whom the concession is granted, its track record, whether it is foreign or domestic, or even, in some cases, its name.”

“My own assessment confirms this situation. Access to information is paramount,” stressed the Special Rapporteur, who received information from communities that “are rarely consulted by the authorities or businesses in a meaningful way -or indeed sometimes at all- on the impact of concessions on their lives and livelihoods.”

Mr. Subedi placed particular importance on the situation of indigenous peoples whose special bonds to their land are well known and documented. He acknowledged the Royal Government for having established a specific legal framework on land tenure for indigenous peoples and welcomed the granting of the first three communal land titles to indigenous communities.

“Until these communities can secure their land titles, indigenous land should be protected and secured in accordance with the law,” he said, urging the Government to speed up the process for the granting of other communal land titles.

During his eight-day mission the Special Rapporteur also met with provincial government officials, the Minister of Environment and Land Management, and the

Ministry of Land Management, Urban Planning and Construction, as well as a number of NGOs and development partners working on the issue.

The Special Rapporteur welcomed H.E. Prime Minister Hun Sen's regulation issued on 7 May to postpone the granting of new economic land concessions and called for a review of all existing concessions with a view to protecting the interests of communities. "This is a good step in the right direction. As ever, the focus must be on the implementation of this new regulation," he said.

"It is clear that all Cambodians want to see economic development flourish but this development should always be conducted in a sustainable manner, creating the least negative impact on communities as possible, whilst upholding the human rights of the individuals involved," Mr Subedi added.

"I look forward to a free and fair electoral process that further strengthens democracy in Cambodia," the Special Rapporteur said, and wished all Khmer citizens and political parties taking part in the upcoming provincial elections "the best of luck."

Mr. Subedi will present his findings, conclusions and recommendations to the UN Human Rights Council in September 2012

(*) Check the full end-of-mission statement by the Special Rapporteur:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12144&LangID=E>

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Professor Surya P. Subedi was appointed by the UN Human Rights Council as the UN Special Rapporteur for Human Rights in Cambodia in March 2009. As Special Rapporteur, he is independent from any government or organisation and serves in his individual capacity. He is currently Professor of International Law at the University of Leeds in the United Kingdom.

UN Human Rights, country page – Cambodia:

<http://www.ohchr.org/EN/Countries/AsiaRegion/Pages/KHIndex.aspx>

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