

HEAR OUR STORY

INDIGENOUS PEOPLE & EXTRACTIVE INDUSTRIES

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OXFAM





'LAND IS LIFE FOR US'

CHRIS HUFSTADER REPORTS ON INDIGENOUS COMMUNITIES IN NORTHERN CAMBODIA AS THEY STRUGGLE TO KEEP THEIR COMMUNAL FORESTS IN THE MIDST OF A LAND RUSH.

Romas Yes rolls up to her mother's house on the back of a beat-up orange motorbike. She invites visitors up the steep, ladderlike steps into the shade of the house, built on stilts nearly two meters above ground. The house, like so many others here in the far northern Cambodian province Ratanakiri, is built with wide timber floors and walls. This ethnic Jerai family has little else. In the corner there is a rice bag with just a few handfuls of grains remaining.

Yes, her husband, and six children have been living here for about a year, since they sold their 2.5-acre farm to pay their debts. About two years before that Yes had borrowed about \$100 from a local micro-finance bank. She says she just could not make the payments and repay other loans as well, so she had to sell the land before the bank took it. "I grew crops on that land," she says, sitting near the doorway of the house, underneath family portraits hanging on the wall.

She used the \$1,200 from the land sale to pay off the bank and all her other debts. "Now I have nothing," Yes says. Her old farm is now part of a larger cassava plantation, and the loss of her acreage—once part of a communal landholding—has further frayed life-sustaining traditions that have knit indigenous communities together for thousands of years.

Yes is small. She has a slim, wiry frame, and she looks strong for her size. She and her husband now work on a rubber plantation. They spend all their money on food, and usually run out before the end of the month.

"I regret selling my land," Yes says firmly at the end of the visit. "If we still had land, we could grow crops, and I think my family would be better off."

Back at the rubber plantation, she pauses and bids farewell as she passes through the security gate. She puts her hands together and bows in the Khmer *sampeah* gesture of respect as the steel gate closes.

CAMBODIA'S LAND RUSH

There are thousands of stories like Yes's all over Ratanakiri, a province in the middle of a land rush. Foreigners and well-connected Cambodians with cash are snatching up land from impoverished indigenous people like Yes, and growing rubber trees or cassava, and digging gold mines.

Indigenous Cambodians, who represent somewhere between 1 and 4 percent of Cambodia's 11.4 million people, traditionally make their living from the land, growing rice in fields they rotate around the forest regions, hunting, or gathering fruits or nuts.

These two realities do not work well together, says Lay Khim, Oxfam's program officer in Cambodia. "Economic growth in



ABOVE: Seiv Swein is the commune chief in an area that includes Padol village. After carrying out legal rights training with indigenous farmers in the area, Swein persuaded villagers to resist the temptation to secure individual land titles, and instead unite to claim communal land title.

RIGHT: Romas Yes sold her small farm, took a job at a nearby rubber plantation, and has struggled to feed her family ever since. Her advice for other indigenous farmers: “Don’t sell your land. Without your land, you have nothing to depend on.”

PREVIOUS PAGE: Indigenous rice farmers in La In trek to their fields. The community recently secured communal land title, allowing it to protect valuable forestlands in Cambodia’s northern Ratanakiri province.

PHOTOS: Patrick Brown / Oxfam America

general in Ratanakiri is having a more negative than positive impact on indigenous people,” he says. “Their lives are closely linked to the environment, so when we convert forests into plantations and other types of development, the indigenous people suffer.”

Indigenous communities have the right to own and protect communal land, but government officials in the provinces right up to the prime minister are ignoring articles in the 2001 Land Law that allow communal land title. In fact, the authorities are encouraging individual farmers like Yes to claim small pieces of indigenous territories that they can use as collateral for loans—or to sell to investors.

Oxfam staffers in Cambodia estimate that 80 percent of indigenous people selling small plots of land are doing so under pressure from companies and local government leaders, and are accepting prices well below market values.

Oxfam is working with three organizations in Ratanakiri that are helping indigenous communities secure communal land. An important element of this work is legal education for indigenous community leaders, who, according to Khim, “don’t have a tradition of voicing demands to the government, or promoting their own development agenda. They are more or less silent.”

Dam Chanthy is an indigenous Tumpoun woman who has been working on land rights issues in Ratanakiri for 10 years. She heads the Highlander Association, an Oxfam partner, and worries that more and more families will end up like Yes’s, struggling in poverty. “I tell them, ‘Land is life for us. If you sell your land now, how will your life be in a few years when the money is gone?’”

NEWEST THREAT TO COMMUNAL LAND

In the past year, a new threat to indigenous rights to communal land title came in the form of something ominously called Prime Minister Directive 01, which created an expedited surveying and title application process aimed at helping smallholders get individual land titles. The process involved a military style deployment of 2,000 hastily trained uniformed youth volunteers with 2,000 government staff who went into communities, surveyed lands, and encouraged farmers to file individual claims. A study

for the World Bank described Directive 01 as a “high speed and limited transparency” endeavor, noting that the potentially intimidating military aspect of the operation made “indigenous people fear companies will bulldoze their land and they will be left with nothing if they do not accept private titles.”

Directive 01 destroyed the communal land effort in Ka Chok, a village in northern Ratanakiri that had already lost much of nearby forests to rubber plantations. “Last year the youth volunteers came and surveyed the land for 43 of the 140 families in the village,” says Sal Yert, the middle-aged chief of Ka Chok, sitting in his house with a group of elders, while a teenager in the corner reads a book to a younger child. “A month later the provincial governor came and delivered certificates to families—along with a scarf and a sarong” and the equivalent of about \$5.

Yert says his neighbors accepting the individual land titles are under financial pressure. “They have these loans, and had to get their certificates so they could sell their land,” Yert says, after walking a short distance from his home to the edge of a rubber plantation.

“Now we only have a place to bury our ancestors,” Yert says. “We have lost all our ancestral forest.”

UNITY THROUGH RIGHTS

When communities know and can defend their rights to maintain their communal land in the face of those urging them to

WHAT’S WRONG?

The rush to invest in valuable land in northern Cambodia is putting pressure on indigenous farmers to sell their land and fragment their forest communities. With few other options for employment, landless people face poverty.

WHAT’S OXFAM DOING?

Oxfam is supporting local land rights organizations that help indigenous people file claims for communal land title. The titles allow them to preserve their forests and their way of life.

Right the Wrong

sell, they can use their unity to resist pressure to stake their future on individual land titles. The indigenous Jerai village Padol is proving this.

“Our livelihoods depend on hunting, wood, and other forest products,” says Seiv Swein, the avuncular, thoughtful commune chief of an area including a village called Padol, on the banks of the Se San River. “As a Jerai person, I know we must sustain our land, our forest,” he says.

Swein takes some visitors out on a narrow boat to a 108-square-foot island of gravel in the middle of the Se San river. The fast, gray waters rush around the perfectly rounded stones. High, heavily wooded hills loom over the far bank.

Swein says the hardest part was persuading everyone in the town to support the communal land title and resist the temptation to get their own. “We gathered people and trained them about their rights and the benefits of communal land titles. If people all get individual land titles they would lose their ancestral forests. Our livelihood depends on forest products like fruits and bamboo. ... ‘How will you survive?’ I asked.” His argument worked: Padol filed papers to be designated an indigenous community, and it is surveying the land to submit with its communal land claim.

11-YEAR STRUGGLE

La In is a small, ethnic Tumpoun village in Ratanakiri. Just outside the center of the village is a sawmill, and as you walk down a dirt road past a peanut field, you can see La In’s burial ground—a stand of ancient trees, with a few shrines built in between. It’s right next to some rubber trees, part of a commercial plantation.

La In is one of the few indigenous communities that has achieved a communal land title. It took 11 years.

Nun Chhrong, a community organizer in La In, says it was difficult to defend the village’s land from outsiders before the community had its communal land title. “People come here and try to clear land in our community for planting rice, and when we talk to them without these documents, they don’t believe us,” he says, showing visitors a map with La In’s borders clearly demarcated. “But with these documents,



WHEN COMMUNITIES KNOW AND CAN DEFEND THEIR RIGHTS TO MAINTAIN THEIR COMMUNAL LAND, THEY CAN USE THEIR UNITY TO RESIST PRESSURE.

we show them the maps ... and tell them about our bylaws that say we have this legal entity in our community; so they can’t use our land.”

Chhrong says that because the community had already lost so much land, like the rubber plantation next to the burial area, the survey took a long time. He estimated that La In should have been able to control 17,000 acres, but even after a year of surveying community members could only document 2,984 acres.

Still, he says he is proud of La In’s accomplishment. “This communal land title is important for our culture. It gives us dedicated areas for burial, plantations, and the spirit forest,” he says.

“If we registered for individual land titles we would not get such areas designated by the authorities for our use. They would just take them away.”

A Cambodian organization called Development and Partnership in Action (DPA) worked with Chhrong and others in La In to help with surveying, legal documentation, and other crucial steps in the land titling process. Oxfam is now working with DPA, along with the Highlander Association, to help several other villages in the area (including Padol) secure communal land title.

Training community leaders in their legal rights to communal land is a crucial component of this program. “By supporting legal education, we can help indigenous communities gain respect for their right to hold communal land title,” says Lay Khim of Oxfam. “Legal education will promote better community awareness and organization.”

Dam Chanthy says that if other communities can unite their members like Padol and La In did, they will achieve their goal of communal land title. When she educates indigenous people in communities, she encourages them to keep their eye on the future, telling them: “If you keep communal land you will benefit from it for generations. It can’t disappear.”

That’s why she tries to bring Romas Yes to meetings, so she can share her experience with communities that still have the opportunity to secure a communal land title.

Yes has a simple message for indigenous people: “Don’t sell your land. Without your land, you have nothing to depend on.”

A CLOSER LOOK 🔍

Check out this video about Dam Chanthy, the inspirational leader of the Highlander Association, and her work to help indigenous communities protect their forests: oxfamamerica.org/spiritforest.

INFORMED AND EMPOWERED

INDIGENOUS WOMEN IN NORTHEAST CAMBODIA
CAMPAIGN TO DEFEND THEIR LANDS AND RESOURCES

“Our land is more important than just a mere source of food and income, it is our identity,” said Romas Pleng, a 30-year-old Jarai woman. Photo by Savann Oeurm/Oxfam



It's lunch time, and the women in Peak village are busy preparing food for their family. Romas Pleng, a 30-year-old Jarai woman, however has other concerns. She has brought Oxfam's partner staff to visit a gold mining site a few kilometers from their village. The mining company running the site does not allow villagers near so they must visit in secret.

Pleng and other women in her village are concerned what affect the site will have on the village's farmland, forests and sacred areas in Northeast Cambodia's Ratanakiri province.

Pleng is also worried the mining operation will contaminate the water her community uses for fishing and bathing, and the extraction process might cause a landslide in her village.

"An Indian mining company is extracting the gold underneath the ground and I am worried this operation will have a huge impact on the community lands and the protected forest in the area," she said.

A RICH RELATIONSHIP BETWEEN THE LAND AND THE INDIGENOUS PEOPLE

For centuries, indigenous communities like the Jarai have depended on their land and its resources to survive and is strongly connected to their life, culture and traditions.

"Our land is more important than just a mere source of food and income, it is our identity," Pleng said.

"The Jarai cultural values and the environment are interlinked." It is not the first time companies have come searching for gold near Pleng's village. In 2009, a Canadian exploration company, brought trucks, tractors and mine exploration equipment to Peak's farmland and sacred forests without permission from the villagers.

"The villagers and I were shocked when we first saw the company entering our village," Pleng said.

"Nobody informed us or showed us the exploration license or company's plan to search for a mine site in our village."

"What surprised us the most was the company employed guards to protect their property."

Villagers confronted the company at the exploration site, asking the company to leave, but were intimidated and threatened by the armed guards, Pleng said.

Once the exploration company discovered there was gold near the village, they sold the mining license to the Indian mining company to dig it up. Now, Pleng feels too afraid to walk past the mine site to get to her farmland for fear of reprisal.

NO CHOICE BUT TO ACCEPT UNFAIR COMPENSATION

All of Peak village's 159 families have been affected by both company's exploration and extraction operations near their village. 24 hectares of farmland belonging to 18 families were cleared for mining operations.

The villagers attempt to negotiate a fair compensation deal, but the 18 families who were forced off their land received just \$1,500 per hectare, while the rest of the villagers received only \$125 per family in compensation.

"This is not fair compensation or a fair process," Pleng said.

"The company and authorities told villagers to sell their lands and take the money, but if the villagers don't sell the land, they will get nothing and the company will take it anyway."

As part of the initial compensation, the companies built household water tanks and purifiers for the villagers to use. They also promised to build roads and community water tanks to counter droughts, but according to Pleng, nothing has been built.

Romas Pleng is at the gold mining site in her village of Peak, Ratanakiri province. Photo courtesy of Oxfam's partner: Highlander Association





TRAINED TO PROTECT THEIR LANDS

Oxfam's partner, Highland Association (HA) trained Pleng and the other villagers including women and youth in Peak village about their human rights and laws including Free Prior and Informed Consent (FPIC). They also were taught about the gender impacts in the mining sector, and empowered women and youth to manage and control their land and its resources.

"I have gained vital knowledge from HA, especially on FPIC and gender impact in mining sector," Pleng said.

"HA helped to strengthen our community, to understand about our power, laws and rights and advised us about the right way to deal with mining issues."

Pleng has become a vital participant, raising the villagers' concerns about the mine with local authorities, NGOs and the mining company itself. She encourages other women in her village to help protect their lands, forests and natural resources.

The companies agreed to share their exploration plans with the villagers, forcing to acknowledge another 38 hectares of farmland will be affected. The villagers also know the company has explored another 12 square kilometers of land around their village.

"We know mining industries will always affect our indigenous people and I will not allow the mining company to continue their exploration in other places in this province," Pleng said.

"We lost one place and we do not want to lose others. I feel very sorry for the lost and I don't want to hear the company saying, 'give us your land, if you don't give, we still take it,' She said, "The elderly people, villagers and I will discuss to find the right strategy to stop any mining company who do not properly inform and consult with villagers in advance."

WRITER: SAVANN OEURM

Romas Pleng removes weeds at the cassava farm, about 5 Km from Gold mining site in Peak Village, Ratanakiri Province. Photo: Savann Oeurm/Oxfam

THEY'VE LIVED ON THIS LAND FOR CENTURIES, BUT NOW COMPANIES ARE TAKING IT AWAY

INDIGENOUS FARMERS IN NORTHERN CAMBODIA FACE THE LOSS OF THEIR FORESTS AND FARMLAND TO FOREIGN COMPANIES.

Klong Chavan, 53, says his home province has seen dramatic change over the years. "Ratanakiri is very different now from when I was a kid," he says. "We had no good roads, no motorbikes, and no cars on the street, no people coming into our village." He says it was not easy just to visit the closest neighboring village. "We had to walk for long time... we would never go in the forest alone because of the boars and tigers."

It's hard to believe Chavan's description. When you travel to Ratanakiri now it is on

newly asphalted roads. Instead of forests, you see regimented plantations of rubber trees everywhere. The once densely forested hills now look more like a plucked hen with few feathers left over. Mines, rubber plantations and logging interests are driving the province's natural resources boom. The indigenous people like Chavan—an ethnic Kreung—still represent 75 percent of the population in Ratanakiri, but they are losing their land at an alarming rate.

Throughout Cambodia's turbulent history, the families of the Krueng indigenous

community have managed to maintain their cultural identity. They have a spiritual relationship with their land, forests, and water on which they rely for survival.

On his four hectares (nearly 10 acres) of farmland, Chavan grows rice and cassava. This land represents a significant source of income and food to him. "We depend on the land to farm vegetable crops. We won't have any food to eat if we lose our land." Chavan said.

Forests are important to all indigenous people in northern Cambodia. Chavan hunts and collects rattan, honey, fruits, wild vegetables, firewood, and traditional medicinal plants from the village communal forest.



Indigenous people in northern Cambodia are working to gain legal title to their communal lands, but it is a long and expensive process. In the meantime, private companies are snatching up vast areas of forest and farmlands on which local people rely for their livelihood. Photo: Savann Oeurm/Oxfam



Klong Chavan: "All my ancestors lived on this same land without having any land title. We always thought it was ours.," Photo:Savann Oeurm/Oxfam

"Instead of having to buy kerosene for making fire, my family and I used to collect resin from the forest. We also sold it to the other villagers," Chavan explains.

The indigenous owners have over generations developed extraordinary land-management practices that allow them to harvest forest products sustainably. They do not threaten biodiversity but, in most cases, manage it well.

But the recent battle over who owns the natural resources is compromising these relationships. Companies are buying up tracts of land in Cambodia's remote province.

The Vietnamese company named Hoang Ahn Gia Lai (HAGL) is one of the biggest investors in Ratanakiri. Their seven land concessions cover an area of more than 50,000 hectares (122,500 acres) that overlap with 17 villages, including Kreh, Chavan's home. On their website, HAGL claims that "the people from these communities were overjoyed at the aid provided by the company, highly

appreciating the implementation of their commitment to investment and development of the projects."

GOVERNMENT OWNS MOST LAND

For most of the indigenous communities of Cambodia the government is the official owner of the land. "All my ancestors lived on this same land without having any land title. We always thought it was ours," says Chavan. The registration for communal land title is a long and complex procedure for which farmers need knowledge about laws and the ability to read and write Khmer. Without land titles, indigenous communities like the Kreung lack any legal power to prevent the company from taking their land.

By clearing the community's "spirit forest," where the Kreung people bury their ancestors, as well as their farmlands, the company is violating the rights of indigenous people to self-determination and a means to earn a decent living. This is at odds with HAGL's publicly stated goal of "alleviating the people's hardships." Local farmers say that depriving them from their main source of income without their consent, is worsening their hardship.

Farmers in Kreh report the company made "donations" of 50kg (110 pounds) of rice and two boxes of instant noodles to every household in the 17 communities affected by HAGL land concessions. Fifty kilos of rice hardly replaces the tons of rice Chavan could produce on his four hectares of farmland.

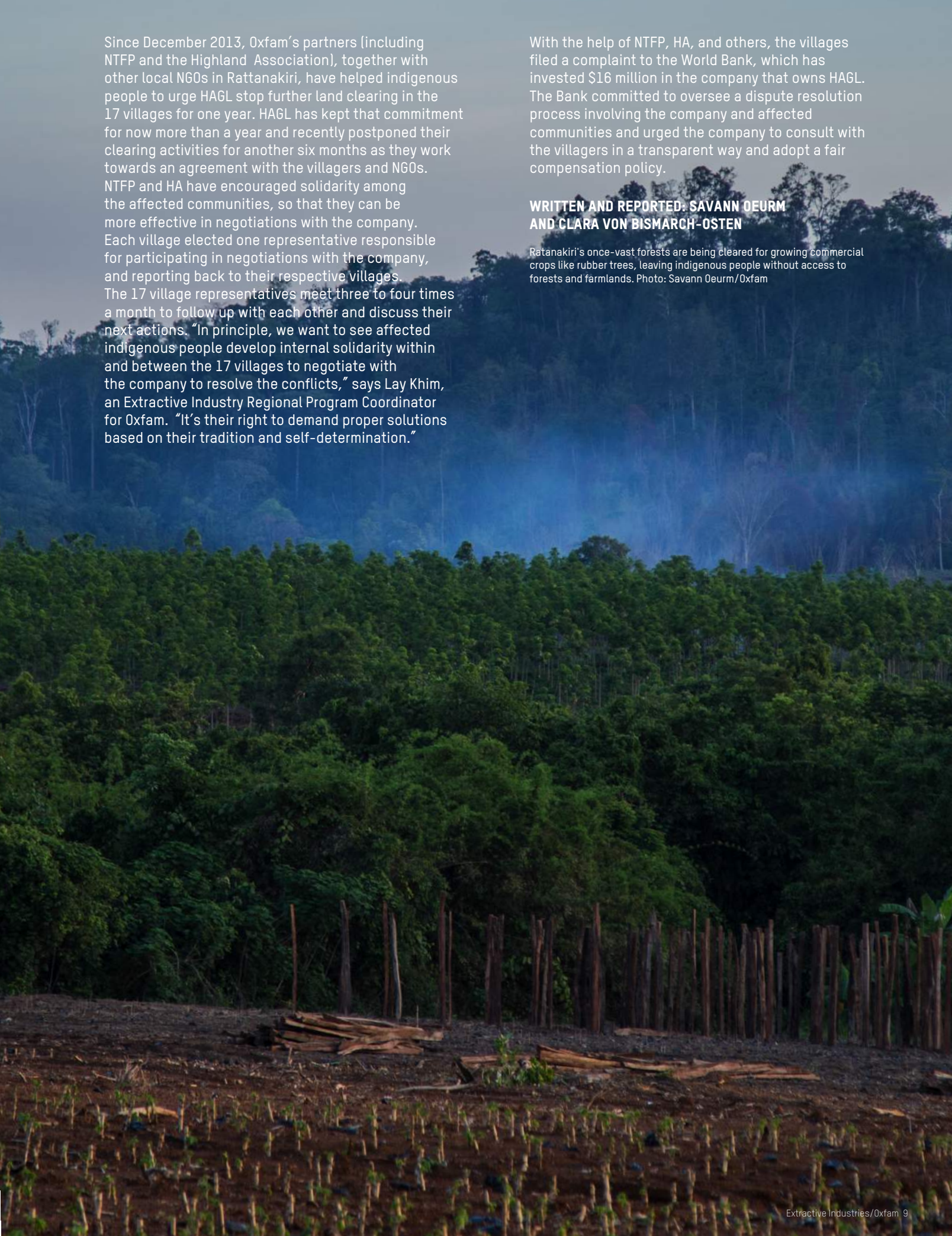
Oxfam is working with an organization called Non Timber Forest Products (NTFP) to help communities like Kreh to register for communal land titles. Kreh is now in the last stage of the registration process of 62 hectares (152 acres) of farmland, and another 138 hectares (338 acres) of protected forest for the nearby Poy commune. Being conscious that the first step towards change is to make people aware of their rights, NTFP offers trainings on land laws and complaint methods. NTFP also plays the role of mediator between the affected communities and the companies, translating, arranging meetings and advocating on behalf of the communities for defence of their right to free, prior, and informed consent, which is a protected right of indigenous people under international law.

Since December 2013, Oxfam's partners (including NTFP and the Highland Association), together with other local NGOs in Ratanakiri, have helped indigenous people to urge HAGL stop further land clearing in the 17 villages for one year. HAGL has kept that commitment for now more than a year and recently postponed their clearing activities for another six months as they work towards an agreement with the villagers and NGOs. NTFP and HA have encouraged solidarity among the affected communities, so that they can be more effective in negotiations with the company. Each village elected one representative responsible for participating in negotiations with the company, and reporting back to their respective villages. The 17 village representatives meet three to four times a month to follow up with each other and discuss their next actions. "In principle, we want to see affected indigenous people develop internal solidarity within and between the 17 villages to negotiate with the company to resolve the conflicts," says Lay Khim, an Extractive Industry Regional Program Coordinator for Oxfam. "It's their right to demand proper solutions based on their tradition and self-determination."

With the help of NTFP, HA, and others, the villages filed a complaint to the World Bank, which has invested \$16 million in the company that owns HAGL. The Bank committed to oversee a dispute resolution process involving the company and affected communities and urged the company to consult with the villagers in a transparent way and adopt a fair compensation policy.

WRITTEN AND REPORTED: SAVANN OEURM AND CLARA VON BISMARCH-OSTEN

Ratanakiri's once-vast forests are being cleared for growing commercial crops like rubber trees, leaving indigenous people without access to forests and farmlands. Photo: Savann Oeurm/Oxfam



HOW A REMOTE VILLAGE IS CLAIMING ITS RIGHTS TO ITS SACRED FORESTS

WITH TRAINING AND LEGAL SUPPORT, INDIGENOUS PEOPLE IN REMOTE AREAS ARE DEFENDING THEIR LANDS AND NATURAL RESOURCES.



Glen Poch, 28, with her nephew in Taing Se. She says her village has the right to manage their communal lands. "I don't want anyone invading these lands." Photo by Patrick Brown/Panos for Oxfam America.

In the farthest northeast corner of Cambodia, past the Se San river and a few kilometers from the Vietnam border, is a village of 237 indigenous Jerai families called Taing Se. Most of the area even in this most remote corner of Ratanakiri province is being clear cut, burned, and replaced by rubber trees and cassava, but there are still some forests around Taing Se.

Most people here derive considerable economic benefit from the forest, so they feel its loss.

"I am concerned there is more and more development in the area," says Glen Dean, a 28-year-old farmer who grows rice and vegetables. To him, the prospect of "development" is not always positive—he says it could potentially take away his means to make a living.

In Taing Se, the ethnic Jerai farmers are concerned that development may come in the form of a mining company called Angkor Gold, from Canada. It wants to explore for gold, and possibly start mining there,

which will affect forest lands, agricultural fields where people grow rice and cashew nuts, and water sources.

People here are against the idea: Glend Veng, 67, one of the elder farmers in the village, has a blunt opinion: "We say no to mining, it takes away our land and forest." Villagers say there are other threats: They hear the government has made a land concession to a Vietnamese company that overlaps their communal land as well.

FORESTS ARE VALUABLE

The forest is a valuable economic resource here in northern Cambodia's Ratanakiri province. Villagers of indigenous communities—Tompoun, Jerai, Kreung, Ka Chok and many others—gather food like fruit and bamboo shoots, mushrooms, leaves, and medicinal plants. They harvest wood and rattan for building their homes and making furniture and handicrafts. They tap trees for resin they sell to lacquer producers. They also hunt, which Veng says he would particularly miss if the forest is all cleared. "More importantly," he says, "the wild animals will be gone."

Glen Poch, 29, works with her family on five hectares of land where they grow cashews and a variety of other crops. She sees the loss of forest and agricultural land as nothing short of a threat to their culture. "I just want to have a normal life and practice our cultural ways of living," she says in a small meeting of villagers.

For Poch, a "normal life" includes hunting and gathering in the forest. Indigenous farmers are accustomed to rotating their fields periodically, allowing the soil to recover and forest to regrow. It's a method they have used for centuries, but pressure from outsiders looking for land here in Ratanakiri means farmers have less and less land they can use in this way.

Poch also says her village has an area they call a spirit forest, where they pray, make sacrifices to their ancestors, and carry out other religious practices. Every village's spirit forest is an essential part of its identity, and a crucial manifestation of its culture. Taing Se also sets aside forest areas for conservation, and for burial grounds.

"I want future generations to have all this," Poch says, calmly but also with a certain determination. "And I don't want anyone invading these lands."

Poch and others in Taing Se received training on their land rights, and support to file for their communal land title, from the Indigenous Community Support Organization, operating in partnership with Oxfam. It is part of an Oxfam initiative designed to help indigenous people understand their rights when negotiating with companies and government, and to protect and manage their natural resources. The project is working with 10 organizations helping indigenous communities in the northern provinces of Cambodia, fishing communities along the Mekong River, and people living in and near national parks in Vietnam's central highlands and southern Lao PDR.

People in Taing Se have a certain strength: They understand their rights and are in the process of protecting them by filing for a communal land title, which they will use to maintain control over their forest and agricultural areas. Poch says a communal land title will make it easier for them to protect their land. "We can't sell our land, we can only transfer it to other villagers," she says. "So we will not move even though the company is coming here. We have the right to live on this land."

WRITER: CHRIS HUFSTADER

Indigenous people across the northern provinces of Cambodia are working to consolidate their communal land rights, but the government is conceding vast forest areas for plantations and other economic activities before many villages can stop it. Photo by Patrick Brown/Panos for Oxfam America





BULLETS CAN'T STOP INDIGENOUS PEOPLE DEFENDING THEIR LAND AND FOREST

In Cambodia, villagers find peaceful means to protect their communities

Sal Hnok starts his story silently – he just takes a shell casing from his pocket and holds it up. He says it was from a bullet fired at him and others in Kanat Thom village, in Cambodia's northern Ratanakiri province, at high noon on a day in January 2012.

Hnok explains: He and others discovered a crew working for a Vietnamese company called Hoan Ang Gia Lai (HAGL) clearing the forest near their village. "I told the company drivers who operated the tractors clearing the forest to stop," Hnok says. "I said to them, 'you can't clear this land and forest.'"

The company was tearing down the forest to establish a rubber plantation. The workers told Hnok and others it had a legal concession from the government to do so. HAGL's concession spans 94,000 hectares (more than 122,000 acres) and was affecting 17 villages.

After this first encounter, Hnok and 37 others left the area, and took down the tents the company staff were using. He says security guards opened fire on him and others. Hnok contacted the local police, but when they arrived "the company asked the police to arrest myself, a village chief, and two community representatives because they accused us of destroying the company's property and mobilizing villagers to strike," Hnok says.

Hnok and his neighbors were released after local rights organizations like the Highlander Association (HA, an Oxfam partner) and others intervened. He then made formal complaints to local authorities, but says few seemed interested in listening to him.

PROTECTING THE FOREST

Hnok is 60, married, and a father of five children.

Like most ethnic Kachok people in northern Cambodia, he is a subsistence farmer accustomed to rotating his rice and vegetable fields around forest areas near his village. Local indigenous people derive other economic benefits from the forest, gathering wild fruit, honey, wood, and resin for making lacquer.

The Kachok worship their ancestors in their nearby spirit forest. So strangers knocking down the forest, Hnok says, create a crisis for the community. "You can't clear the forest," he says. "It is the identity of our people."

Hnok and others in his community were trained by Oxfam's partner, the Highlander Association, in their rights under Cambodia's land law: their special rights to hold communal land as an indigenous community, and to free, prior, and informed consent (FPIC). They also learned critical thinking, community organizing, and negotiation skills.

IMAGE ABOVE:

Sal Hnok holds a shell casing from a bullet fired at him in January 2012 when he insisted workers stop clear cutting the forest near his village in northern Cambodia. Photo: Savann Oeurm/Oxfam

HA trainers worked in the local language, and used a variety of teaching methods including role playing, and graphic posters. After the training, Hnok and several others were selected to represent the community in talks with the company.

By this time the company had already cleared an entire mountainside near Kanat Thom village. To stop the company, Hnok and others from similarly affected villages filed a complaint about HAGL to the International Finance Corporation (IFC), part of the World Bank. Mong Vichet, program manager at the Highland Association, says “we learned that HAGL was financed by the IFC through an intermediary, Dragon Capital. We shared this information with the affected communities and advised them to gather detailed maps of their villages to file with the complaint.”

Armed with information from the communities, fifteen villages including Kanat Thom submitted a complaint to the IFC’s Compliance Advisor Ombudsman in February 2014. Oxfam’s partners, the Highlander Association and Equitable Cambodia, assisted the communities in the complaint process.

In September 2015, representatives from 11 communities met with the IFC and HAGL in Siem Reap and reached an agreement on a number of issues: The company will demarcate more carefully the land it has in its concession, compensate villagers whose land was cleared inadvertently, and support villages in getting title for their land.

Vichet says that the company has started measuring the boundaries of the community lands in three villages. The rest of the affected villages including Hnok’s village will be measured in March 2016.

The agreement may not completely make up for all the lost lands, taken without permission from the indigenous communities, but at least now the company has to respect the rights of people there.

“My hope is that our community will be strong, and NGOs continue to support the indigenous villagers to defend their lands and forests,” Hnok says. “If we get the lands back from the company, my next generation will be happy and live peacefully. I want my effort to defend the lands and forests of the indigenous communities in Ratanakiri to serve as an example for the next generation.”

WRITER: SAVANN OEURM

Indigenous farmers in northern Cambodia’s Ratanakiri province are struggling to control their forest lands on which they rely for their livelihood.
Photo: Savann Oeurm/Oxfam



REGIONAL EXTRACTIVE INDUSTRIES PROGRAM

Oxfam's Extractive Industries Program in Asia focuses on promoting rights-based development and good governance of the extractive industries, by upholding international standards and best practices.

Oil, gas, and mining industries are huge economic drivers in Asia. We cannot end poverty and inequality without putting a stop to unsustainable and harmful practices of extractive industries.

OUR GOAL IS TO ENSURE THAT VULNERABLE COMMUNITIES AFFECTED BY MINERAL MINING AND NATIONAL HYDROCARBON EXPLOITATION WILL HAVE EXERCISED THEIR RIGHT TO SUSTAINABLE LIVELIHOOD.

We focus on building strong networks at grassroots, national and regional levels for influencing extractive industries. Currently we work directly with vulnerable communities and CSOs in Cambodia, Laos, and Vietnam. We team up with our regional partners to build alliances and networks for change. The Programme is set to expand and reach more countries in Asia.



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Farmers stand on their rice farm
near Gold mining site in Ratanakiri province,
Cambodia. Photo by Savann Oeurm/Oxfam
Front Cover- Kimheng Cheng/Oxfam



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