

## Statement on the UPR Pre-Session

12-16 February 2024

The statement is delivered on behalf of Cambodia Indigenous Peoples Alliance (CIPA), CIPA in Cambodia that seek to uphold the rights of indigenous peoples land , natural resources, self-determination, identity and sustainable development.

The consultation were conducted by CIPA with its members including Cambodia Indigenous Youth Association, Cambodia Indigenous Women Association, Indigenous Rights Active Member, Cambodia Indigenous Peoples Organization, Organization the Promotion of the Kui Culture, Highlander Association, Indigenous Peoples Agriculture Development in Cambodia, Conserve Indigenous Peoples Language, and 16 Indigenous Peoples-Based Networks.

The submission focuses on addressing the attacks on indigenous peoples rights defenders, land and natural resources rights, education and development.

### **Land rights**

As of 2023, 40 out of 580 indigenous communities have collective land titles, which accounts for 7% of the total, whereas the granting of social and economic land concessions, the establishment of community forests, protected areas, wildlife sanctuaries, and national parks, systematic land registration (private land registration), and the issuance or recognition of land transactions in indigenous areas have been carried out rapidly. There are approximately 89 economic land concessions, totaling 705,611 hectares; three social land concessions; and at least 12 natural resource conservation areas and 12 national parks, out of a total of 73 protected areas in the country, that overlap on indigenous community land. Of the 580 communities nationwide, 155 received indigenous self-identification, and 150 are recognized as legal entities. The slow pace of collective land registration is due to the government's lack of commitment, a lack of funding, and land disputes in Indigenous Peoples' areas. The majority of indigenous land is designated as conservation areas, which violates their rights to traditional occupation. In addition, the 2011 Directive 001 on land registration issued by the Prime Minister has exacerbated the land conflict within Indigenous communities. The government prioritizes economic development over expediting Indigenous collective land titles by granting economic land and social concessions. This procedure hinders the communal land titling process for Indigenous communities.

### **Recommendation:**

1. Develop a consolidated land law that recognizes collective land ownership which protects Indigenous Peoples right to self-government, culture, freedom of belief, and practice of traditional occupation.
2. Develop protective measures to ensure Indigenous Peoples' lands are free from illegal encroachment while in the process of collective land registration.  
All formulations and amendments to state laws and legal standards must consult with Indigenous Peoples' systems or mechanisms in conformity with Indigenous FPIC in the

process of providing inputs and must accept Indigenous Peoples' inputs into law and legal standards.<sup>1</sup>

3. Develop laws that provide for specific mechanisms for addressing Indigenous Peoples' issues and concerns in a respectful and consistent manner with the collective traditional settlement mechanism.

### **Criminalize**

There are 111 Indigenous Peoples, of who are 20 women and 21 youth of the Bunong, Kui, Kraol, and Kreung ethnic groups in Ratanakiri, Kratie, Kampong Thom, Stung Treng, and Mondulhiri are facing criminal charges and prison terms for exercising their social, cultural, and traditional rights. Indigenous Peoples who lack legal documentation for their traditional land use are outweighed by the court as land occupants<sup>2</sup>. The authority and environmental officials do not respect the legally recognized rights of Indigenous Peoples.

### **Recommendation**

1. End the criminalization of Indigenous Peoples who are defending their rights should, the persons detained should be freed from prisons and the charges against them dropped, both through the courts, through the authorities, and through the legislature.
2. End restrictions on peaceful assemblies, rallies, and expressions and stop all forms of intimidation to Indigenous Peoples in the practice of traditional occupations, and protect their rights to land and natural resources.

### **Livelihood:**

34 villages in 8 provinces where the Indigenous Peoples of Tampuon, Kreung, Jarai, Brao, Bunong, Kui, and Por lost their land due to bank debt, resulting in land sales, a loss of employment, domestic violence, and migration to work outside the area and abroad, such as in a place of entertainment.

92 villages losing 70 percent of their livelihoods. 90% of these communities owe money to the bank.

### **Recommendation**

1. Support and restore traditional agriculture and irrigation systems to ensure sustainable livelihood for Indigenous Peoples

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