Binphouc Kratie Rubber 1 Company Limited’s illegal logging activities in Kaev Seima’s protect forestland threatens indigenous ways of life

The inhabitants of Pu Kong Village, Srae Preah Commune, Kaev Seima District, Mondulkiri Province, are indigenous Bunong. The community, comprising of over 70 families, has lived in harmony with the forest surrounding Pu Kong since 1944, leaving the area briefly during the late 1970s as a result of threats faced from the Khmer Rouge regime. The community has completed two of three stages towards obtaining legal protection of their land under a collective land title. Despite this, the community’s commitment to a self-sufficient and sustainable means of existence, based upon rotational agriculture, hunting and the collection of natural products such as resin and honey, has come under threat in recent years from indiscriminate deforestation and land grabs by private actors.

Companies first began to fell trees in the area, which is now a protected forest area, in the early 1990s. At the time, the community, unaware of its rights, did not protest such actions, and were further subdued by the authorities’ insistence that the forest was State land and that the community, therefore, had no say over how it was used.

In 2012, Binphouc Kratie Rubber 1 Company Limited (“Bin Phouc 1”) – who has also been implicated in another land conflict in Mondulkiri profiled by CCHR – came to the forest surrounding Pu Kong to demarcate 8,926 hectares of land that they had been granted, by way of an economic land concession (“ELC”) in October 2011, which was a year later reduced to 5,100 hectares. The company, without first consulting relevant stakeholders, began to fell trees within the legally protected forest area, beyond the territorial limits of their ELC. Moreover, it seems the company has failed to carry out an Environmental Impact Assessment (“EIA”), as required by Cambodian law.

After Bin Phouc 1 had cleared roughly 4,750 hectares of land, affecting the livelihoods of up approximately 73 families, ‘powerful men’ from neighboring provinces began to occupy the cleared land. The villagers claim that this group – comprising Oknha Soeng Sam Ol, Sak Sarang (Commander of the Mondulkiri Provincial Military Police), Sak Sara (Commander of the Kaev Seima District Military Police) and Leuk Hear (a relative of both these police commanders and one of their subordinates) – has frequently supported Binphouc 1.

Under the guidance of Wildlife Conservation Society Cambodia, the community began to actively patrol the forest in 2013, physically preventing individuals intent on felling trees from accessing the land. Despite such efforts, illegal logging has continued at an alarming rate. During patrols the community confiscated hundreds of chainsaws, and have passed these on to the Forestry Administration. On 17 May 2013, in a disproportionate response to the confiscation of the some chainsaws, Binphouc 1 guards, led by Oknha Soeng Sam Ol,

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1 Sub-Decree No. 143 on Establishment of Seima Protected Forest and Biodiversity Conservation, dated 02 September 2009
3 As confirmed by the company Director, who showed CCHR its ELC map during field research in June 2015
came to ‘negotiate’ with the community, armed with two handguns and four AK-47s. The community was intimidated into selling the chainsaws back to the company for a total of US $250. The group fired warning shots before they arrived and after having left the village. The residents subsequently lodged a complaint with the local authorities, but no action was taken in relation to the incident.

Fortunately, the community has received some support from the local authorities. For example, in May 2016, members of the commune council helped the villagers take back 50% of the land that had been grabbed by the powerful men and are helping the villagers to prevent further land grabs. However, the lack of an official announcement or any form of formal, legal support remains a cause for genuine concern. Given that the men that grabbed the land are rich, well-connected individuals, the villagers believe that they will soon establish support amongst the authorities and, thus, worry for the future of their beloved forest and traditional way of life.