

## Thpong District, Kampong Speu: Villagers and District Authority compromise on resolution to 10-year conflict

Kampong Speu is a landlocked province located to the west of Phnom Penh in central Cambodia. The Royal Government of Cambodia (“RGC”), on its [website](#) to promote investment in the country, describes the development of the province: “In the past, two thirds of the province was comprised of forests and mountainous regions, however, this area is now being used for the development of agro-industries such as rice, sugar cane, corn, cassava and fruits.” This development has had a significant impact on the lives of local inhabitants, often in the form of land conflicts.



In a ten-year battle with authorities and land brokers, over 200 families in Phnom Chack Angkar Point, Peanich Village (also known as Wat Tbeng Chas), Yea Angk Commune, in Kampong Speu’s Thpong district lost their homes and farmland. The disputed land, which was used for farming rice, was the main source of income for the affected villagers. It originally consisted of 400 hectares; land enjoyed by 220 families. Many of the affected villagers began farming on the land after the fall of the Khmer Rouge in 1979. More arrived in 1984, but the majority of families arrived between 2000 and 2005. These families had been farming in peace until November 2005, when land brokers visited the village to persuade local residents to sell their land. The brokers operated on behalf of City Mart Company (“City Mart”), a Sri Lankan-owned corporation that was granted a 5,390 agro-industrial Economic Land Concession (“ELC”) in the area for sugarcane and acacia plantations. Following negotiations and pressure from the company, some of the affected families initially agreed to compensation, but six families remained in dispute until a resolution was reached in September 2015.

In 2006, City Mart representatives repeatedly visited the site, erecting boundary poles and bulldozing farms and property. Soldiers hired by City Mart told villagers that their land had been sold to the company, but they were not given any further details about the sale. At that time, the soldiers also enforced a ban on the villagers from undertaking any further deforestation on the land, but allowed them to continue farming. This situation continued until 22 October 2013. Between January and February 2013, student volunteers came to measure land for the affected villagers under Prime Minister Hun Sen’s land-titling campaign, known as Directive 01. The volunteers gave documents to the villagers recognizing their possession rights and containing details of the land measurement.

Villagers told CCHR that when they presented their proof of possession to soldiers that were accompanying the bulldozers, the soldiers told them that they were bulldozing the land, not the villagers’ rights, and stated that if one of the villagers were shot dead, the company would only pay \$1,000 in compensation while the perpetrators would only serve three months in prison. Just 20 days after the documents recognizing possession were given to the villagers, the chief of Yea Angk commune, Mr. Keo Yoeun, confiscated the documents back from the villagers, and told them that the land was to be designated as community land. Simultaneously, soldiers and other unidentified men working for City Mart continued to destroy their land and homes.

On 23 October 2013, company representatives and armed soldiers, accompanied by four bulldozers and six tractors, arrived and began bulldozing the disputed land. From 23-26 October, the company bulldozed and demolished eight villagers' huts. On the evening of 31 October 2013, five unidentified men burned three villagers' huts to the ground. In response to the destruction of their homes and livelihoods, the affected villagers launched a protest to stop the bulldozing, leading the company to temporarily halt its actions. Shortly after the protest, on 8 November 2013, City Mart filed a complaint to the Commission General of Police in the Ministry of the Interior. The complaint accused three policemen, who are also de facto community representatives, of deforesting the land and constructing houses on City Mart's property.

On the same day, the three community representatives were summoned for questioning by Brigadier General Tith Kim Orn, who is also the Deputy Chief of Center Department of Justice Police, and assistant to the Secretary of the Interior, H.E. Nut Sa An, at the Kampong Speu Commissariat. During the questioning, General Tith Kim Orn asked for background information of the land occupation and the affected site. He then allegedly pressured the community representatives to sell their land to City Mart. Two of the policemen were convinced, but Mr. Chun Savuth was not, reasoning that his family relied on their land for their livelihood.

In late 2014, City Mart's interest in the disputed land is believed to have been taken over by another company called Phnom Penh Sugar, Co. ("PPS"). PPS is a wholly owned subsidiary of LYP Group Co., which is owned by ruling party senator and tycoon, H.E. Okhna Ly Yong Phat. In April of 2015, 90 people, who villagers claim were hired by a land broker group representing PPS, destroyed the fences, huts, and groves of the six families who remained in dispute. The six families filed a complaint against the land broker group to Mr. Eng Srun, the governor of Thpong district. The governor, along with Deputy Governor Mr. Keav Leang Kea, and Police Inspector Mr. Hun Sok Hon, convened a meeting on 11 May 2015 at the Thpong district hall to settle the dispute.

All relevant parties, along with CCHR's Land Reform Project and an activist from the Cambodian Peace Network, attended the meeting, but no resolution was found due to the land brokers' refusal to pay the compensation the six families sought. In response, the district governor banned the parties from undertaking any activity on the land until a resolution could be reached which was acceptable to the respective parties.

Finally, after a meeting held on 07 September 2015 at Thpong district hall, led by Deputy Governor Mr. Keav Leang Kea, and participated by all interested parties, as well as a district cadastral officer and other relevant local authorities, an agreement was reached whereby land measuring 16 hectares (the same size as the land originally occupied by the six families) would be provided to the six affected families in another location. This land is located at the south of Phnom Preah point, in Peanich village, Yea Angk commune, Thpong district, which is approximately four kilometers from the disputed land.

Mr. Chun Savuth, representative of the six affected families, commented: *"We do not have any choice, as this is the last resolution, even though the exchange land is not very good like the land we were occupying, but at least we still have farmland to support our livelihood."*