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The Cambodian Center for Human Rights Releases Briefing Note on Business and Human Rights:

Preventing, Mitigating and Remediing Land-Related Rights Violations in the Kingdom of Cambodia:

Seven Areas for Improvement

The Cambodian Center for Human Rights (‘CCHR’) is pleased to announce the release of its Briefing Note on Business and Human Rights, entitled ‘Preventing, Mitigating and Remediing Land-Related Rights Violations in the Kingdom of Cambodia: Seven Areas for Improvement, as part of its business and human rights project’.

The Briefing Note aims to identify key issues pertaining to business and human rights in the Kingdom of Cambodia through the analysis of three land-related conflicts, and to propose recommendations in order to prevent, mitigate and remedy related human rights violations caused by business operations. It focuses on three land disputes: the land dispute involving villagers and Mitr Phol Sugar Company in Koun Kriel Commune, Samraong District, Oddar Meanchey Province; a land dispute involving indigenous communities and rubber company Socfin-KCD in Bu Sra Commune, Pech Chreada District, Mondulkiri Province; and finally, the land dispute involving villagers and the MDS Company in the MDS Thmor Da Special Economic Zone (‘SEZ’) in Thma Da Commune, Veal Veaeng District, Pursat Province.

As a result of desk and field research conducted between January 2017 and September 2018, CCHR identified seven areas of concern which are at the core of land-related disputes in Cambodia and hinder the fair, equitable and inclusive development of the country. The Briefing Note outlines simple steps that could be taken to effectively prevent, mitigate and remedy these concerns, and to promote a more fair, transparent and effective land dispute resolution process across the country. In particular, the Briefing Note finds that it is essential that property rights are given due consideration (Finding 1), that environmental and social impact assessments are conducted prior to the start of the operations (Finding 2), and that meaningful consultations take place prior to any development (Finding 3). Most importantly, the use of force and involuntary resettlement must be strictly prohibited (Finding 4). Further, in order to promote just and effective resolution of land disputes, it is essential that the authorities allow those affected to advocate for their rights freely and unhindered (Finding 5). Finally, the Briefing Note finds that significant efforts must be made to ensure a timely and effective remedy for all victims (Finding 6), and access to alternative and innovative dispute resolution processes should be facilitated (Finding 7).

The Briefing Note ends with 15 recommendations to the Royal Government of Cambodia, to private companies operating in Cambodia and to civil society organizations, outlining simple steps to be taken in order to prevent, mitigate and remedy human rights issues arising out of corporate activities in Cambodia.

The Briefing Note can be found on CCHR’s website in Khmer and in English. The Executive Summary of the Briefing Note can also be found on the website in Khmer and in English.

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