



Ministry of Land Management,
Urban Planning and Construction

KINGDOM OF CAMBODIA
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Informal Translation

Speech

**H.E. Im Chhun Lim, Senior Minister
and Minister of Land Management, Urban Planning and Construction
and Chairman of Council for Land Policy
Phnom Penh, September 26, 2012**

Excellency Keat Chhon, Deputy Prime Minister and Minister of Economy and Finance

Excellency Ambassadors, Representatives of Embassies and Development Partners

Excellencies, Ladies and Gentlemen...

1. Today I have a great pleasure and honour to participate in the 19th Meeting of the Government-Development Partner Coordination Committee and have an opportunity to brief the results of implementing New Actions on Existing Policies for Land Sector which Samdech Prime Minister announced publicly on June 14, 2012 as below:

2. In compliance with the existing legal framework, from the end of June, 2012, Royal Government has started a campaign to implement Order 01 the so-called New Actions on Existing Policies for Land Sector, involving 1668 cadastral officers from General Department of Cadastre and Geography, with 1668 supporting voluntary youth (from 30 universities, institutes, public and private training centres, and 03 NGOs) in 20 provinces to survey and issue land titles to existing land occupants using and cultivating land.

3. The total area of 1,200,000 ha (approximately 0.4 million parcels) was initially estimated to provide 350,000 households. However, based on the update of the not-yet-legal land occupation by September 06, 2012, the total area increased up to 1.8 million ha (approximately 0.7 million parcels), and the number of households up to 470,000.

92

4. The not-yet-legal occupied area of state land contains three categories: economic land concession (ELCs), forest concession, and confiscated land in the forest cover.

5. Among the 1.8 million ha, only more than 10% is highly disputed within ELCs and other types of state land with Economic Land Concessionaires and other occupants. While the state land confiscated by Deika and other occupied state land is not yet legal, the occupants use the land without emotional security and are not willing to develop its potentials.

6. To sum up, **the campaign to carry out the New Actions on Existing Policies on Land Sector is another new step of the in-depth land reform to resolve and strongly legalize the unclear land occupation with safety through the donation of complete land ownership rights, granting of small-scale economic land concessions or social land concessions** in order to ensure tenure security; to resolve land conflicts; to promote national economy through the use and management of small, medium and large landholdings in an effective way; and to maintain environmental sustainability and natural resources.

7. The clear resolution of the land occupation also contributes to the clear occupation of small-big land concessionaires which contradicts some confusion in abusing the concessionaires. The real aim of granting ELCs is to serve the real interest of the poor in the investment area.

8. Based on the result of over 170,000 parcels surveyed up to the present, most of them are below 5 ha; this indicates that the campaign really benefits the poor in rural areas.

9. Therefore, this land reform can be considered as the fourth phase of the large land distribution, i.e. the 1st phase in the 1980s, the 2nd from 1991-1993, and the 3rd in late 1998.

10. In the future, the complementation of transaction between small, medium and large holders will definitely be the core of growth in rural areas, which will lead to the creation of urban areas, small-big markets, small-medium enterprise, non-agriculture activities in a small city in rural areas and will be retroactive in encouraging more diverse agricultural production to respond to the needs of the city. The non-agriculture activities in urban areas will absorb the idle labour of surrounding rural areas in order to prevent the migration from the rural areas to the city or a foreign country.

11. While providing land ownership right as the life of farmers and the basis of development, the Royal Government has seen the need to create four basic criteria to serve the development: road, school, health centre, and lastly water, so that concerned Ministries establish a development plan and place additional investment in the existing development.

12. Obviously, for generations people in some areas do not have a land title. That's the reason why the land is not yet used as a valuable asset and also to its full advantages. The reason behind this is the encounter of long-lasting wars. It was just the 1980s that the land rights were strengthened by issuing official administrative documents and possession certificates continuously till July 2012, approximately 2,6 million land titles have been distributed.

13. Currently, the implementation of New Actions on Existing Policies on Land Sector is the willingness of the Royal Government to ensure land rights. Clearly, the systematic registration has doubled. From the beginning of the campaign to implement New Actions on Existing Policies for Land Sector, the land registration has increased two times on average more than previously, with the result of around 700,000 parcels surveyed per month.

14. The process of land registration has been implemented properly, based on the sub-decree 46 dated May 31, 2002 on **the procedure for establishing cadastral index map and land register, the so-called systematic land registration**. The remarkable and significant component of land registration involves community participation in the entire process, namely from the demarcation and survey of relevant areas, demarcation and survey of parcels, data collection, up to the public display of adjudication data in each area for a period of 30 days, in order for the land owners and those concerned to verify, rectify the data or to complain and to make a resolution (an opportunity given to land owners to provide voice to the voiceless and an opportunity for the community to adjudicate the data of the public display) until the end of the public display and title delivery.

15. During the process, if a conflict on the demarcation of the state land area and the area of the not-yet-legal occupied land exists, it will be resolved by Provincial State Land Management Committee, while the conflict related to the parcel will be reconciled by Administrative Commission, based on the sub-decree 46 on systematic land registration as stated above.

16. From the beginning of the implementation of Order 01 on June 25 to September 25, 2012 throughout the country, over 240,000 declaration forms have been filled in, nearly 170,000 households recorded, over 130,000

households verified, over 170,000 parcels surveyed, 140,000 parcels digitized, 115,000 data collection forms filled in, over 22,000 parcels public-displayed and over 800 titles distributed.

17. For the indigenous people's rights to land, their rights are respected. In the New Actions on Existing Policies for Land Sector, the Royal Government via Council for Land Policy issued additional instructions No. 015 and 020 related to the indigenous community area that shall be implemented in accordance with the sub-decree 83 dated June 09, 2009 on Procedures of Registration of Land of Indigenous Communities, except the indigenous people who do not belong to the community and wish to live a private life shall have a voluntary contract with thumb print of the respective person and a witness from the same ethnicity or community chief as proof.

18. This campaign also implemented accurately other legal framework related to identification of public roads, public service delivery location, Deciduous forest, national defence area, historical-cultural heritage area, etc., which is a part of land management affairs.

19. As a part of Royal Government of Cambodia's focus on natural resources and environmental protection as well as promoting local communities' access to benefits from natural resources, the RGC has decided to seize (by nullifying) an approximate area of over 40,000 Ha of economic concession land (according to Notification Letter 693 Sor.Chor.Nor. of Council of Ministers dated 02-07-2012) as the area of land is located in the middle of Deciduous Forest, Evergreen Forest, Semi Evergreen, a residential area, a biodiversity protected area, a watershed, a habitat area, and also a potential national touristic area.

20. Along with the great achievement of this campaign as above mentioned, there have also been some bad opportunists to encroach onto a new area, and claim for recognition from local authority. In this case, I would like to emphasize that any anarchic encroachment or claim on inactive occupied-planted-used land by various proofs is not eligible with this campaign. Those claimants are to submit an application to local competent authority in the subject area through the local authorities by expressing their identification as land-poor families that truly need land, so that the competent authorities can provide them social land concession, depending on the real available and appropriate location. Such cases are categorized as the unconventional social land concession.

21. I would also like to underline that throughout this campaign, the Royal Government of Cambodia aimed for identifying and making state land inventory for the purpose of land stock which will be reserved for the future social land

concession program. In the second phase, the Royal Government of Cambodia is going to continue implementing conventional social land concession and to accelerate its progress for veterans' families, disabled armed forces, deceased veterans' families, and landless households.

22. Corresponding to the voluntary youth's participation, I would like to clarify that youth's presence is the supporting force for the registration team in order to accelerate our land registration progress for our Cambodia people. According to reported data and previous guidance, this campaign gives priority to survey land parcels occupied, planted, and used less than 10 hectares; this is quite different from some negative views that argue this is for the companies or rich people. In addition, their participation in this campaign does not cause any interference in their study course too as most of them graduated; some are just waiting for defending their research thesis, and for some who are still in year 3 or year 4 already received permission from their school for later credit fulfilment following completion of the campaign, without any delay of their study. Furthermore, those who voluntarily joined the campaign have learnt a lot from their real practices, and from social work to serve people. It enables them to understand the real livelihoods of local people, which is a valuable experience for future success in life, in addition to their theoretical knowledge at school/universities.

23. Results achieved from this land registration campaign as mentioned will help demarcate boundaries of private land and state land more accurately and lead to the undertaking of state land mapping that will enable competent state land authorities at both national and sub-national level to easily manage and monitor all pieces of land under its jurisdictions more effectively. This will also avoid any more anarchic scoundrel's encroachment.

24. Taking this occasion, I would like to express my gratitude to development partners and civil society organizations for having good will to contribute to the development of Cambodia, especially thanks to the development partners that have supported and continued their fruitful support for land sector. What we have achieved so far is closely linked with the support of development partners as we have gained experience and know-how, received capacity-building, developed human resource, have an effective land registration system in place, which results from the cooperation between the RGC and development partners, in conformity with principles and conditions set out by the Paris Declaration. Under the ideal leadership, vigorous determination, overwhelming support of *Samdech Akka Moha Sena Padei Techo Hun Sen* and *Lok Chumteav Dr. Bun Rany - Hun Sen*, and based on our human resource capacity in the existing land

registration system and with 'ownership', with all these factors, we are able to achieve this historic task.

25. Finally, my sincere thanks to Your Excellency, ladies and gentlemen for your attention to my presentation, and I wish Your Excellency, lady and gentlemen happiness and success with every task.

Thanks!!