

4 March 2008

12th Meeting of the Government-Donor Coordination Committee (GDCC)

4 March 2008—Statement on the Land Sector

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Your Excellency Chairman Senior Minister, Excellencies, Your Royal Highness, Ladies and Gentlemen.

At last June's CDCF, a broad consensus was reached that Cambodia's natural resources must be managed in a sustainable, equitable and transparent manner. Development Partners therefore welcome, once again, the opportunity to discuss the land sector as an important vehicle for socio-economic development, poverty reduction and good governance.

One of the most important pre-requisites for economic development in a country which relies heavily on agricultural productivity is secure land tenure. Land titling is an essential step in this process. Over the past five years, one million land parcels were surveyed and adjudicated, of these close to 800,000 land titles were distributed. These achievements merit broad recognition.

In stark contrast, advancement in other aspects of land management remains of concern. This includes the continued issuance of Economic Land Concessions at the national and provincial level which often appear to be awarded by processes that do not comply with the 2001 Land Law's requirements for competitive bidding which includes social and environmental screening and monitoring. As a result, State land management is not undertaken in a participatory, transparent, equitable and accountable manner.

ELCs do not represent a panacea for economic growth. Comparative international evidence, including success in the region, and experience in Cambodia itself, demonstrates that small holder farmers, with basic extension support and access to micro-finance can produce in equal measure or greater than large scale farms or plantations with superior poverty-reducing impacts.

Development Partners therefore impel that land from cancelled or reduced ELCs should increasingly be used for the purpose of Social Land Concessions to address the growing number of land poor and landless families. While some piloting and local initiatives are underway, a far greater degree of genuine commitment and demonstrable action is required, particularly at the provincial level.

The challenge of land alienation also severely affects Cambodia's Indigenous peoples despite the fact that rights to communal ownership of traditional land are explicitly recognised and guaranteed under the Land Law. It is deplorable that since its promulgation, not a single Indigenous group has been issued title. Development Partners urge, once again, the adoption and implementation of the Policy on the Registration and Use Rights of Indigenous Communal Land. Of immediate concern, is the need for the rapid application of interim protective measures in all areas with Indigenous populations. In the absence of such protective measures, land alienation will continue apace, including through grant of Economic Land Concessions.

Secure land tenure applies equally to the urban poor and their communities. However, in areas most affected by rapid urban expansion, forced evictions and involuntary resettlements have created greater insecurity of land tenure. This is of major concern to Development Partners as such incidents appear to have been permitted in contravention of the Land Law and its clear regime of land rights and tenure. Eviction must have a solid legal basis derived from the Constitution and the Land Law and should only be carried out after exploring all alternatives. Affected communities must receive fair and just compensation in advance and resettlement sites must provide security of tenure, infrastructure and basic services.

This statement points to both achievements by the Royal Government of Cambodia as well as areas of concern. Development Partners recognise that the land sector represents one of the most complex and important public policy challenges facing Cambodia today. Decisions taken today will have a direct impact on the achievements of development and governance targets set out in the National Strategic Development Plan (NSDP) and so we hope for a continued and constructive dialogue on these issues.