



Conflict Factsheet

Land Grabbing Conflicts in Cambodia

Type of conflict
Main

Intensity
4



Conflict Locality
South Eastern Asia

Time
2000 –ongoing

Countries
Cambodia

Resources
Agricultural / Pastoral Land

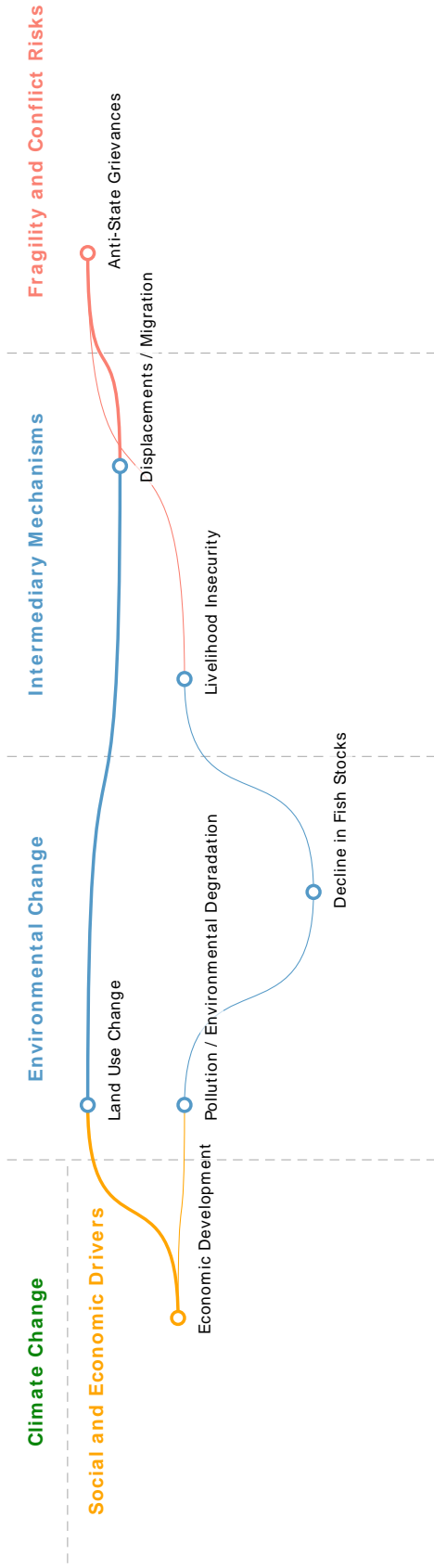


Conflict Summary

Although land grabbing is a worldwide phenomenon, poor Cambodian farmers and indigenous tribes are particularly affected by governmental seizures in favour of private businesses. Land disputes occur nation-wide and more than half a million citizens have been affected since 2000. The government does not address the concerns of its citizens and the intensity of the dispute has been increasing in the past years.



Conceptual Model



Context Factors



Agricultural / Pastoral Land

Insecure Land Tenure
Unresponsive Government



Conflict History

After decades of communism and armed conflict, Cambodia switched from a planned economy to a free market economy in the 1990s. As part of its development policy, the government has been leasing large-scale land concessions to private companies while disregarding the rights of the local population. As a result, there has been a surge in land disputes between communities that have lost their land and the state or private companies, usually with little or no compensation. Civil protest are violently repressed ([ADHOC 2013](#), [LICADHO 2014a](#)), and the Cambodian government is blamed for non-compliance with its fundamental rights obligations such as the respect for freedom of expression, abolition of torture, and the conditions of detention in prisons ([FIDH](#), [ADHOC](#), [LICADHO 2015](#)).

Ambiguity of Cambodian land law

Due to Cambodia's integration in the global market, both foreign and domestic investments flooded the country and land value increased rapidly ([Prachvuthy, 2011](#)). The government started promoting Economic Land Concessions (ELCs), which grant long-term land leases to private businesses, with the aim of stimulating the economy and creating jobs. However, customary legal principles regarding land ownership were not integrated in the new legal land framework. Under traditional law, all land was the king's property. People could however possess land by using it continuously. French colonists introduced the concept of private land ownership, but customary law remained in some areas, thus both systems coexisted for some decades even after independence in 1953. At the end of the 1970s, the communist regime of the Khmers Rouges abolished private ownership and destroyed all landownership records. Property rights were progressively re-established in the 1990s, but the government failed to introduce the new legal system in rural areas where customary law still prevails. Thus large parts of Cambodia's land remain unregistered although people have been living there for decades and sometimes generations ([Sekiguchi and Hatsukano, 2013](#)). This legal ambiguity created numerous land disputes between citizens, but especially between citizens and the state when allocating land concessions. The Cambodian government indeed confiscated at least 20% of Cambodian's land ([The Diplomat, 2014](#)), as villagers were unable to prove landownership according to current law. This circumstance benefits private companies which develop industrial farming, rubber industries, illegal fishing or illegal-logging of precious wood (see [Forest Conflicts in Cambodia](#)). Moreover, operation of business enterprises led to the pollution of water and declining stock of fisheries which increases food insecurity.

Livelihood conflicts

80% of Cambodia's population lives in rural areas and, thus, strongly relies on agriculture as a means of subsistence. Land loss and the destruction of livelihoods lead to social and economic marginalization, which have affected at least half a million Cambodians since 2000 ([LICADHO, 2014b](#)). Forced evictions are common and there is often a great lack of public consultation or information provided to families. Civil discontent has been growing throughout land communities and peaceful protests have been ongoing since the beginning of the land grabbings. However, those protests have been violently repressed by the government, which often arrests demonstrators and sometimes even shoot at them ([LICADHO, 2015](#)). Activists and journalists receive death threats (see: [Forest Conflicts in Cambodia](#)) and are at risk of being arrested on trumped-up criminal charges.



Resolution Efforts

Despite the growing number of land disputes brought to court, a politicized judiciary and the collusion between businesses and politics have hindered a fair handling of cases. Public protest is harshly quashed, and the state as well as private companies benefit from the legal gap between customary and modern land law.

International legal action

However, in October 2014, Cambodian citizens supported by London-based international lawyers filed a complaint before the International Criminal Court at The Hague, calling systematic and violent land seizure of villagers' land a "crime against humanity" ([Financial Times, 2014](#)). The accusation is directed against Cambodia's "ruling elite", e.g. politicians, businessmen and military officers. The Court still needs to agree to consider the case, but if it happens to rule in favor of the plaintiff, it would set a legal precedent for all victims of land grabbing in the world ([The Diplomat, 2014](#)). The government denied the validity of the claim, blaming the opposition of trying to destabilize the regime ([Financial Times, 2014](#)). Besides the potential impact on domestic and international human rights policies, the complaint sends a strong message to multinationals that benefit from land grabbing. It is not the first case filed by Cambodians at an international level.

Increasing pressure on multinationals

In a parallel case brought to the High Court in London in 2013, villagers accused the U.K. company Tate & Lyle (previously T&L Sugars) of land grabbing. Activists seem to have succeeded in raising awareness given that other multinationals such as Coca Cola have launched a "zero tolerance" initiative regarding land grabbing ([Financial Times, 2014](#)).

Land-grabbing is a worldwide issue but Cambodia is one of the most salient cases. International law may play an important role in the conflict resolution strategy, along with international pressure on multinationals and the Cambodian government.



Intensities & Influences



INTENSITIES

International / Geopolitical Intensity

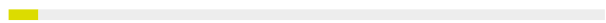


Human Suffering



INFLUENCES

Environmental Influences



Societal Influences



Violent Conflict

Yes



Salience with nation

National



Mass displacement

More than 100.000 or more than 10% of the country's population are displaced within the country.



Cross Border Mass Displacement

No



Resolution Success

Resolve of displacement problems

Displacement continues to cause discontent and/or other problems.

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Reduction in geographical scope

There has been no reduction in geographical scope.

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Increased capacity to address grievance in the future

There is no increased capacity to address grievances in the future.

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Grievance Resolution

Grievances have been mostly ignored.

Causal Attribution of Decrease in Conflict Intensity

There has been no reduction in intensity

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Entry Points for Resilience and Peace Building

Mediation & arbitration

3

International law may play an important role in the resolution of this conflict.

In 2014, citizens filed a complaint against Cambodian politicians, businessmen and military officers before the International Criminal Court denouncing the systematic and violent land seizures of villagers' land. Likewise, a case was brought to the High Court in London in 2013 accusing U.K.-based company, Tate & Lyle, of land grabbing. Even though these cases have not yet been settled, such complaints send a strong message to companies that benefit from land grabbing.

Resources and Materials

Conflict References

[Forest Conflicts in Cambodia](#)

References with URL

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[FIDH, ADHOC, LICADHO, Report Documents Cambodian Government's ongoing Failure to Implement ICCPR, 2015](#)

[Prachvuthy, M., \(2011\). Land Acquisition by non-local actors and consequences for local development. Royal University of Phnom Penh, Faculty of Humanities and Social Science, Department of Tourism and Mekong Institute of Cambodia.](#)

[Sekiguchi, M., Hatsukano, N., \(2013\). Land Conflict and Land Registration in Cambodia. Environmental Law Institute and United Nations Environment Programme.](#)

[The Diplomat, Cambodia's Ruling Elite May Face ICC Probe Over Land Grab, 2014](#)

[LICADHO, 2014 Brings a New Wave of Cambodian Land Conflicts, 2014](#)

[LICADHO, Land issue topic, 2015](#)

[The Financial Times, Cambodians claim land grabs are crime against humanity, 2014](#)

Further information

<https://factbook.ecc-platform.org/conflicts/land-grabbing-conflicts-cambodia>