



CAMBODIA

Indigenous Peoples in ASEAN



Asia Indigenous Peoples Pact



Indigenous Peoples in ASEAN: Cambodia

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The responsibility of the present research document remains, however, with the author.

Acronyms

ASEAN	Association of Southeast Asian Nations
ADHOC	Cambodian Human Rights and Development Association
CIPO	Cambodian Indigenous People Organization
CIYA	Cambodian Indigenous Youth Association
CNRP	Cambodian National Rescue Party
CPP	Cambodian People's Party
CBOs	Community Based Organizations
ELCs	Economic Land Concessions
EU	European Union
HA	Highlander Association
IADC	Indigenous Peoples for Agriculture
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
IPNN	Indigenous Peoples NGO Network
IPOs	Indigenous Peoples' Organisations
IPRH	Indigenous Peoples' Right to Health

IRAM	Indigenous Right Active Members
IFC	International Finance Corporation
ILO	International Labour Organization
IWGIA	International Work Group for Indigenous Affairs
Lao PDR	Lao People's Democratic Republic
NTFP	non-timber forest products
MoI	Ministry of Interior
MLMUPC	Ministry of Land Management, Urban Planning and Construction
MoRD	Ministry of Rural Development
NSDP	National Strategic Development Plan
NGO	non-government organisations
OPKC	Organization to Promote Kuy Culture
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples

A. Background

Cambodian indigenous peoples, as they have been called recently (Baird 2008b, Swift 2013), have never lived in cultural isolation, despite their remote geographical location. They maintain a long history of encounters, exchanges, adaptations, agreements and conflicts among themselves and with neighboring empires, thus they cannot be considered as static groups. A legacy of the past has been maintained through oral transmission, even if irregularly and not homogeneously in the present-days, via epics, oral literature, myths and various ceremonies and rituals (Bourdier 2006). Recent anthropological analysis in the northeastern provinces shows that transmission is a dynamic process with newly included elements, like the remnants of war (Uk 2011), artifacts and ideas borrowed from outside. These contribute to the creation, the richness and the diversity of what can be called 'flexible identities' (Bourdier et al. 2014).

The first written testimony was provided by Chinese ambassador Zhou Daguan who visited Angkor in 1296 which was the zenith of the kingdom and wrote a vivid account of his year-long sojourn: he provided an uncomplimentary description of the indigenous population (Zhou Daguan, 2010). He distinguished between those who lived as nomads in the forest and had an extremely rudimentary material culture, and those who served the civilized Khmers but who were still treated as outcasts because of their 'wild and bellicose nature.' From the nineteenth century onwards, missionaries (Azemar 1886, Bouillevaux 1874), adventurers (Wusthoff 1871), explorers (Neis 1883, Maitre 1911, Garnier 1996), colonial administrators (Taupin 1888, Leclère, 1898) and militaries (Maurice 1993) wrote either succinct or detailed accounts

on various local socioeconomic organizations, cultural practices and 'animist' ceremonies when traveling or working in contact with non-Khmer groups inhabiting forested and hilly areas.

At the dawn of the twentieth century, the main purpose of the government was to 'pacify' the so-called aboriginals living in the hinterlands (Guérin 2008), as they were perceived as potential trouble-makers and uncivilized people, therefore not yet suitable to be citizens of the nation. Preliminary explorations led by colonizers (Cupet 1900) were followed by a non-intrusive state policy during the French protectorate, followed in the sixties by the Sihanouk policy of assimilation (Guérin 2009). The Cambodian government could not turn ethnic minorities into 'reasonable' Khmers as expected. This vain attempt was interrupted by the Khmer Rouge regime from 1970 (Colm 2009a) who, after forging preliminary dogmas related to indigenous peoples¹ living in relative socio-economic equality, started to persecute those among them who were maintaining traditional practices and beliefs (religion, sacrifices, healing practices), which were regarded as inadequate for Pol Pot's extremist and collectivist political vision. Finally, throwing away both material and intellectual inheritances of the past, the Khmer Rouge authoritarian regime extended its purges to the indigenous peoples considered as traitors and meaningless peoples (Colm 1996a, Colm & Sim 2009).

These external interventions were not accepted passively, peacefully and uniformly by the indigenous peoples. To the contrary, from the 'pacification' period to the unsuccessful

1 They were part of the 'first people' in contrast with the corrupted 'new people' coming from the towns.

process of Khmerization along with the diktats launched by the Khmer Rouge, there have been repeated attempts to resist and even take advantage of the ongoing worrying situations. For instance the Jarai of the northeast managed to utilize their geographical and social networks to enhance their political and economical ties² beyond the new administrative boundaries with Vietnam (Guérin & Padwe 2011). Besides, whatever their methods and ideologies, neither the newly independent Cambodian government nor the Khmer Rouge rebels could figure that indigenous peoples were at the same time developing tactics leading to internal alliances such as among Tampuan soldiers from the two opposing armies during the civil war (Thibault 2009). Some indigenous peoples in the northeast ran away to Lao People's Democratic Republic (Lao PDR) and Vietnam. Those who remained worked out strategies to avoid family separation and to continue to practice exogamic marriage out of the clan during the Khmer Rouge regime (Bourdier 2014). Previously during the Sihanouk assimilation phase, some villages moved deeper into the forests to escape rigid state control and to remain distinct and distant. When their land started to be encroached by the rubber companies, their rebellion turned into armed fights with spears, crossbows and arrows against the government forces.

On the other hand, there has been emergence of charismatic leaders like the Lao Ya Cau Tam who provided peace and unity in the northern part of Ratanakiri during the colonial period (Baird 2009a). Other testimonies of cooperation were between the Kuy³ who specialized in iron making in the central north, and the kingdom of Angkor (Dupaigne 1987). This shows that some indigenous groups were not only subject

to enslavement, as it was common during successive emperors, but played more active roles in the state-building projects as semi-industrialists engaged in the production and circulation of iron tools and weapons that allowed previous paddy field states to assume physical shape and geographical importance (Keating 2013: 320). According to royal testimonies, the Samrae, were recruited by the kingdom as mercenaries and slaves: some were in charge of bringing sandstones from the Phnom Kulen Mountains to the future sites of the kingdom complex, while others watched the temples and took care of the infantry elephants (Bourdier 2013).

If the indigenous peoples effectively participated and contributed to the splendor of the Khmer kingdoms, their past visibility throughout the country and throughout the ages deserve more attention through archeological, linguistic, historiography and ethno-historical research. A first basic linguistic survey has been made during the preparation for the elections under the auspices of the United Nations (Diffloth 1993). Besides further systematic linguistic investigations for the Kuy (Diffloth 2013), the Bunong (Vogel 2008) and the Saoch-Chong (Isara, 2009), ethnohistorical surveys are few and the material is not easily available (Bourotte 1955, Bourdier 1997). Some historical records have been accessible with original methodologies in the absence of remaining artifacts and native written scripts (Bourdier 2013).

One interesting feature when conducting oral enquiries with the indigenous peoples is their tendency, not only to use their traditions as major legacy of a reconstructed past but also to develop visions for their future, with challenges and socioeconomic pressures. Most indigenous people are aware that they are at the crossroads

2 See: Jacques Dournes (1977).

3 Also spelled Kui.

of an unequal path to development where their contribution matters.

The above mentioned ‘resistance of cultures’ (Bourdier 2014), if traced historically, can be used as a tool to provide deeper insights to advocacy, which is another means of cooperation and confrontation and also an instrument to identify various forms of resistance against the current development policy of the Kingdom of Cambodia.

B. Profile of Indigenous Peoples in the Country

It would be inaccurate to consider Cambodian indigenous peoples as a homogenous entity and such an essentialist and naturalized profile would only create more ambiguities and false generalities than it would help to solve the current specific issues affecting them. This does not mean that they do not share anything in common and, this collective pattern, with all careful nuances, can be framed as a platform to protect and promote their rights for the future. Indigeneity is therefore a project, an effort they can share with others (Padwe 2013: 284).

B. 1 The Indigenous Peoples in the Country

Cambodia is a multi-ethnic society with a majority of ethnic Khmer. Besides Cham⁴, Chinese⁵ and Vietnamese, the remaining population is composed of indigenous peoples

4 The Cham, originally Hindu, is a Malayo-Polynesian group who were in central Vietnam before it was Vietnam. They started to migrate after the fall of the Champa kingdom. They were welcomed by the king of Cambodia and got converted to Islam afterwards. Interestingly, more and more Cham families are migrating to the highlands and are interacting preferably with the Jarai, another Malayo-Polynesian group (Bourdier et al. 2014)

5 The Chinese have a very long history in the country, from the pre-Angkor times onwards. Main occupation has been trade and establishing business, including in the most remote part of the provinces where indigenous peoples are living.

using different names. If communities in the northeastern highlands use their ethnonyms as an identity reference to distinguish each other (Jarai, Tampuan, Kreung, Kachak, Brao, Bunong), some also called themselves Khmer Loeu, a name that was given by Prince Norodom Sihanouk in the sixties to denote their geographical upper location⁶. In common conversation they however say frequently “Khmer yeung” (we, the Khmer). Besides those living in the highlands, peoples belonging to the large group Pear-Samrae in the Cardamom mountains (Baradat 1941) use also their ethnonyms, like the Chong in Koh Kong, but more rarely than in the northeast.

The Kuy, who are one of the largest groups established in central and north Cambodia and in the neighboring countries like Thailand and Lao PDR, have a very long history of interaction because they have generally lived in peripheral areas of the Angkor complex. Like the Pear/Samre and Chong from the Kulen hills and the Cardamom hills who became suppliers of cardamoms, the Kuy were required to provide products according to their specialization as tribute to the Khmer. In recent years, Kuy areas have been progressively brought under state control, and with the inflow of new settlers, many of them intermarry with recently established Khmer migrants. The ethnonym is not accepted anymore by all Kuy and many of them prefer to be simply called Khmer, even if they also speak Kuy language. Such reluctance, prevailing among the last two generations, can be interpreted as a way to be more integrated in the mainstream society. But while the Kuy continue to assimilate, there is a recent revival of Kuy identity – though apparently not so much

6 In contrast with the Khmer Kandal (Khmer from the central valley) and the Khmer Khrom (from the southern Mekong tributary).

of Kuy culture (Swift 2013: 302) –probably due to recent land pressures and conflicts and perceived opportunities to be part of an international indigenous peoples’ movement.

Local self-definitions are nowadays tempered by an adopted generic terminology: *chuncheat daoem pheak tech* which literally means ‘minority original ethnicity’. This concept is more common among the Kuy and the Pear/Samre groups in the southern part of the Cardamom mountains, and by the Khmer living nearby who have been using this terminology for a long time, and with the appellation *Khmer daoem* which means ‘Khmer from the origin’ (Martin 1974). The term *daoem* is linked to the originary nature of ethnic minority groups and such a trend signifies a common understanding of ethnic populations as the living ancestors of today’s ethnic-majority state society. This at present is highly ideological and based on no scientific evidence. Rather than considering them as distinct at the origin with little chance to be traced,⁷ another thesis assumes that peoples who have been living in the borderlands and in remote places were former peasants from the valleys who ran away from the tyranny of the paddy fields and established themselves in safer geographical places called ‘zomia’ where there was less state control and more autonomy (Scott 2009). If this theory could be verified, indigenous populations who originally escaped from hierarchy and subjugation can be called ‘zomians’.

The term ‘ethnic minority’ is restricted to ethnic minority nationality and is not used to refer to Chinese and Vietnamese residents living in Cambodia. Otherwise, derogatory appellations

like Phnong, a terminology used to call the indigenous peoples in Mondulakiri, is still used among common peoples from the valleys and sometimes by some developers and, worse, by politicians who use this pejorative name as an insult signifying backward and ignorant peoples.⁸

B. 2 Demography and Population

Except the Jarai, most of the indigenous groups in Cambodia speak Austro-Asiatic languages of the central Bahnaric and Bahnaric branch of the Mon-Khmer family. In Ratanakiri province, the Brao, the Kavet, the Kreung and the Lun are sub-groups of the Brao and apart from some dialect differences, their language is inter-intelligible (Ironside 2012:118). In the same province, the Tampuan who constitute the most ancient group living on the central basaltic plateau came, like the Kachak, from the north of the Sesan River and occupied the rich natural hinterland (Bourdier 2006), while the Jarai came from Pleiku in Vietnam and pushed the Tampuan back to the areas near the Vietnamese border at the end of the nineteenth century.



Brao farmer poking rice seeds (Frédéric Bourdier)

7 An ethnogenetic research which is going on may bring unexpected indications (interdisciplinary program SoGen: Society Genetic, National Museum of Natural History, Paris, 2011-2015).

8 A few years ago, Bunong ethnic minority members took part in a forum in Phnom Penh to ask a Cambodian People’s Party lawmaker to apologize in person, and publicly, for using their name to insult an opposition party leader.

Table 1: Distribution of indigenous peoples per group in seven provinces

	RATANAKIRI	MONDUL KIRI	KRATIE	STEUNG TRENG	Kampong Speu	Preah Vihear	Koh Kong/Pursat	Total
Tampuan	30 888	52		48				30888
Jarai	20781	71	168	57		182		26335
Kreung	19706			246				19988
Brao	8540			440				9025
Kavet	2308	33	51	2950				6218
Lun	77			227				327
Kachak	3384							3384
Bunong	351	27262	9281	564				37507
Kraol		682	3455					4202
Stieng		523	4475	22		20		6541
Mel			1675					1697
Kuy	33		4971	1660		17597		28612
Suoy					1833			1830
Pear/Samre						1582		1827
Chong					300		750	1050

Note: groups identified with less than 20 persons per province are not included in the table.

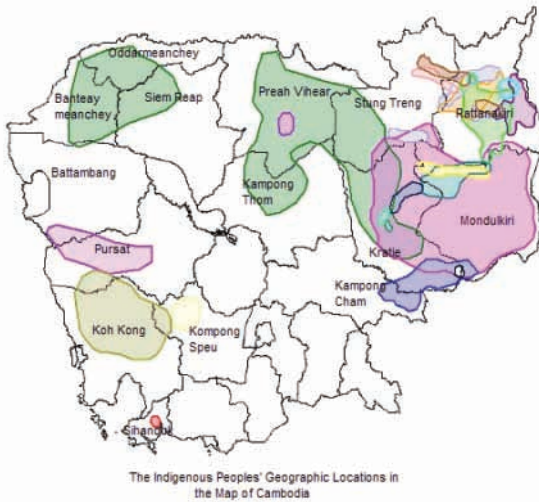
Sources: Ironside (2012), CNIS (2008), Ministry of Plan (2009) & personal enquiries (2014).

The World Bank in 2011 released the official data of the International Working Group of Indigenous Affairs (IWGIA) consisting of 197,000 indigenous peoples. WB official estimates represent 1.4% of the national population numbering 15,747, 099 individuals as of the 2015 Cambodian Census (other sources mentioned 3.2 per cent). It means that Cambodia, has the lowest proportion of indigenous peoples among the eight Southeast Asian countries. These numbers should be taken as approximate indicators of the government census, not as a real figure of the exact number of indigenous peoples in the country. They also reflect the way the peoples behave with the national authorities and it was observed during the last national census in 2008 that a significant number of Kuy

was neither recognized nor registered as Kuy. A few indigenous peoples have also started to live in Phnom Penh and in provincial capitals and others are intermarrying with non-indigenous citizens. They add to the (unknown) percentage of those who married by force during the Pol Pot regime with Khmer Rouge soldiers from the plains.

B. 3 Geographical Localization

Traditionally, speakers of the same language group did not identify themselves as part of a larger political unit beyond the village. There was no word to designate the region or even to describe the territory inhabited by a particular ethnic group. The region where they lived was broken up into villages, inside of which areas of cultivation were regularly moved. Outside of this social space, it was ‘elsewhere,’ the unknown domain which was penetrated occasionally during big hunts or to visit distant relatives during important ceremonies. This



spatial configuration has changed everywhere in Cambodia, and indigenous villages are more connected, distant intermarriages are more frequent and circulation among the people is increasing.

Indigenous peoples as a whole are to be found in at least fifteen provinces (Phath & Sovathana 2010, Pheap & Ngach 2012), but they are mostly established in the five northeast provinces: Ratanakiri, Steung Treng, Kratie, Mondul Kiri and Preah Vihear. Some villages are starting to welcome non-indigenous individuals, mostly in the central part of Preah Vihear and to a smaller extent in some areas in Ratanakiri where they co-habit with Lao, Cham and Khmer peoples.

The situation is different with the Pear/Samre groups. This includes the Samre in Battambang province, the Chong in Pursat and Koh Kong, the Saoch in Kampong Som and the Suoy in Kompong Speu. Together they total less than 10,000 with some of the groups numbering just a few hundred, even less than a hundred for the Saoch.⁹ Presently they are scattered in pockets west of the Mekong River (Fillipi 2008). Most

also speak the national language, Khmer, and are becoming increasingly assimilated into Cambodian society, even if there are pockets of resistance against the mainstream in Thmor Bang district in Koh Kong (Milne 2009). A great majority of these groups lost their language more than a hundred years ago. In some cases only a few elderly people still speak the language and it is likely that in a generation, these unwritten languages may become extinct. Information about these groups is very limited. Rare are those who live in small, remote, isolated villages that are located in open spaces, where they practice lowland subsistence rice farming than in heavily forested areas as before. Some still live in the Cardamom Mountains and collect cardamom from the forest. They mostly live in humble, short stilted, one room houses with the roofs made from leaves and walls made from leaves, bamboo and occasionally wood. They dress similarly to rural Khmer which is basically western style. Most are non-literate as educational opportunities, contrary to what happens in the north, are quite limited and conducted in the Khmer national language.

B. 4 Brief Information on their Specific and Unique Characteristics

As far as their memory can go back in time, indigenous peoples have been practicing swidden agriculture in the western Cardamoms (Martin 1974), in the central north (Keating 2013) and in the northeast (Matras 1983, Bourdier 2006). Ethnographical surveys have revealed that kinship relations which constitute the basis of social, political, economic and ritual organizations are deeply connected with territorial arrangements (Bourdier, 2006). As such, one cannot understand the way people deal with natural environment without knowing the social structures. For the Tampuan, land

⁹ Information provided by Jean-Michel Fillipi (linguist).



Buong in Kratie performing propitiation rites in their spirit forest (Pok Hong)

management through swidden cultivation is a projection of the socio-spatial composition of the village which is divided in matrilineal clans, each with its own physical location in the circular village. Such a cultural pattern is worth mentioning because it represents the strength of a particular culture despite its multiple interferences with the outside world.

Although the indigenous peoples' living cultures have maintained their material and symbolic attachment with their immediate environment, the practices are not static and are predisposed to alter with the new social, economic, political and spatial configurations aggressively taking place, as shown in a Jarai study (Uk, 2011). A recent principal finding focused on the changes in agriculture practices in a Tampuan village lies in the everlasting perpetuation of links, made out of mutual dependence, between human beings and nonhuman beings (Bourdier, 2012). A recurrent feature found nearly everywhere among the indigenous peoples is their material and symbolic participation to the proper functioning of the Earth, which is living and breathing. It deserves consideration and cannot be perceived as a source of unlimited profit, and it has to be respected for that reason. Indigenous peoples are convinced that human beings cannot

simply do what they want for their personal benefit. What is received takes the form of an exchange, submitted to precise regulations. Malevolent spirits control the human usage of the Earth providing food, building materials and hundreds of products essential for sustaining livelihood. Any wrongdoing and transgression brings disease or misfortune. There are wild places where it is not possible to enter and other parts of the forest inhabited by spirits where felling trees and collecting non-timber forest products are prohibited according to the traditions. These practices are not always respected today.

Portions of land temporarily acquired by a family require a symbolic retribution with rituals showing allegiance to cosmic forces regulating the use of nature. If nothing is given in exchange, the fragile relation is broken and evil manifestations may occur. If human beings have gone too far beyond what is allowed for the balanced functioning of the world, such misbehaviour has to be atoned.

With so many manifestations of discord, it is not easy to discern whether the direct attachment to the environment is welcome since some people deplore the burden of this forced dependence. Once outsiders come to discriminate their practices as primitive or with no future, indigenous peoples start to lose confidence in what they were doing and thinking, and distrust the traditions that give meaning to life. However, personal testimonies still underscore the prevailing existence of such an 'alliance' with nature. Every village has its foundation history with its first ancestor, opening rituals to propitiate the place, a communal house. They cleared a patch of forest for cultivation, called relatives and other families to create a fixed settlement. Following this occupation

considered as a 'loan on trust' from gods to humans, land distribution follows according to kinship affiliations and clan structure. The cleared field (*miir*) is enlarged every one or two years and parts of the original patch are abandoned. After three to five years, depending on the quality of the land, the family abandons the site and seeks another portion of land to clear.

Previously, the whole village moved every ten or fifteen years when the cultivated lands had become too distant from the settlement. Although these shifts have become infrequent due to state-imposed constraints, collective shifting happens in the wake of a lethal epidemic disease or when a number of unexplained deaths occur with different families. Simultaneous casualties are interpreted as a manifestation of local spirits who no longer accept human beings to occupy their territory. Metaphoric expressions such as 'warm forest' and 'forest burning without fire' indicate the obligation for humans to leave as quickly as possible a place haunted by spirits little inclined to co-exist with human society.

B. 5 Economic, social and cultural systems

The concept that those from the forest who work regularly and compulsorily and whose direct production does not directly benefit them as laborers has always been incompatible with the notion of being together in a given community. The introduction of money which prevails everywhere has replaced benefits in kind and mutual exchange within the family and among villagers (Bourdier 2012). Barter persists in many forms, mostly with workload shared for agricultural purpose and house making, but it remains restricted within indigenous peoples, rarely with outsiders, even with those who are trusted.

Next to swidden agriculture, cash crop production is on the increase with cashew, cassava, soybeans, peanut and family rubber plantation (Sieng 2012) generated by lowland investors, speculators and traders. Even if most of the families are involved in more permanent cultivation as a way to secure the land and to obtain cash with the single crop, they generally keep a portion of their occupied land for cultivating different varieties of dry rice plus vegetables, tobacco, cotton, dye-producing plants, vegetables, fruits, decorative flowers and medicinal plants. Totally, the number of different products that can be found in a swidden field can be up to more than 50 among the Tampuan and the Jarai (Bourdier 2006) and nearly a hundred with the Brao (quoted by Swift 2013, Baird 2008a).

Harvesting and collection of non-timber products (NTFP) for food and household use is also important. Previously, stilt houses were almost entirely made with bamboo, including roofing tiles. Research has shown that NTFP's contribute anywhere between 10 to 50% percent livelihood forest value to forest-



Gathering resin by traditional methods. (Samrith Vaing)

based communities. A more specific study on wild food diversity in Ratanakiri province concluded that the gathered products, mostly done by women in nearby forests to collect wood, provide additional important nutritious resources and help to bridge the hunger period during the late dry season (Savajol et al. 2012). In Koh Kong evergreen forests, the Chong are foragers and use their knowledge of the forest as a coping strategy when other food is scarce. In Mondulakiri province, Bunong households collect liquid and dry resin in order to have cash to buy rice. It has been estimated that resins, forest honey and honey products like beeswax, can provide high cash values to poor income forest based-communities with at least \$100 annually. Tree resin production for cash has also increased in other provinces like Preah Vihear and Kompong Thom where indigenous Kui peoples are residing, due to an increase in traders in the area (in spite of widespread cutting of resin trees). In Koh Kong, and Ratanakiri there is high demand for the malva nut (*samrong*).

B. 6 Customary Institutions/Political, Governance, Justice Systems

With the exception of the Jarai who used to recognize three undisputed leaders under the name of the three *sadet* (Dournes 1977), there were no traditional authorities beyond the village, which was the highest socio-political unit. No federated territories developed with separate socio-geographical units. There was no leader, no real authority per se with concentrations of power and prerogatives usually attributed to this designation. Governance was localized at the village level and in the hands of esteemed and charismatic advisers who received unquestionable socio-religious recognition in exchange for their services.

As it is still the case, some people, mostly men, when they become ‘living ancestors’ with grandchildren, can claim the title *kra srok*,¹⁰ which confers them venerability and respectability. They are considered the ‘guardians of the villages’ collective memory’ (Ironsides 2012: 186). The position is rarely hereditary but is based on accumulated knowledge, wisdom, talent and experience. The indigenous person who receives this title by the council of the elders is most frequently consulted for religious affairs, for initiating important ceremonies within the village. The *kra srok* can be called to resolve minor social and familial conflicts if both families or the clan cannot do it, but he hardly interferes if nobody calls him. He symbolizes peace in the village but has no ability and no recognition to impose any political power and to force villagers to behave in such a way, unless he is summoned to do so. Even in such case, he will do so on a ‘consulting status’ than as an unquestioned unilateral decision-maker. Ratanakiri peoples tell of the olden times when the *kra srok* was feared, had the power of life and death (in a symbolic and literal meaning), and could not be looked directly in the eye, mostly during ceremonies. His real influence was called on in times of warfare and great insecurity. During those apprehensive moments, for instance whenever slave-raids were about to occur or when an unexpected number of individuals passed away simultaneously, villagers would turn to the *kra srok* who had to decide what to do and, therefore, command villagers. In fact the venerable person had to reestablish cosmologic and social order when one of the pillars of society was threatened by external forces both human and non-human. In clan societies like the

¹⁰ *Kra srok* is a Tampuan designation, there are other names of other ethnic groups.

Tampuan, the Kachak and the Jarai, there is an important governance subdivision: other minor *kra srok*, usually one at the top of each social unit or clan, is appointed to avoid concentration of responsibility.

Serious matters concerning the collective life are channeled to the *kra srok* but internal conflicts are otherwise solved through negotiation, mediation and conciliation among conflicting parties as in the case of the Bunong (United Nations Development Programme 2010). There are different steps: if contending members cannot solve the dispute by themselves, intercession takes place with a mediator from each side and these middle persons, after hearing the grievances of the parties which are supported by testimonies, will decide who has to pay a fine. Fines can be steep but can also be symbolic, like an offering of an animal and a rice jar that both parties will take together. If the conflict is more serious, there will be at least an intermediary who will listen, balance and make the final decision. The scene is in the open air and relatives attend the deliberation which is an occasion to smooth relationships and strengthen harmony.

Presently, when conflicts and sensitive matters cannot be solved amicably, villagers are asked, and strongly requested, to refer their grievances to the village chief (*mephum*) and to the commune chief (*mekhum*) in charge of administering the Cambodian judiciary system at the local level. Having received adequate trainings on law enforcement and management, the latter are finally encouraged to bypass local procedures that could improve unsolved situations at the village level. Many of these modern elected village heads constitute the indispensable link to external forces like the police and the provincial court. This is a solution

with so many drawbacks, considering that the legal judiciary system in Cambodia is weak, impressionable, biased and politically affiliated with the dominant party, while some research shows that many of the so-called state processes at the local level resemble more a higher court of the traditional system.¹¹

B. 7 Natural Resource Management

Cosmological knowledge, vegetation classification and use of plants within their cycle of reproduction have already been depicted, mostly in the northeast (Dournes 1969, Bourdier 2006). Some rules are followed when extracting natural resources from the environment to limit overexploitation and to prevent individuals from taking away more than they should. Wood, bamboo, and rattan necessary for the maintenance of the environs (the collective meeting house, domestic houses, water sources, traps, burial grounds, etc.) are collected by villagers in a circumscribed area which is the common property of the village. This is the same for natural resource management at the household level. Importantly, whatever materials are collected do not 'belong' to the cultivator, the collector or the forager: they just borrow what they need for eating, building a decent house and constructing cultural artifacts for the whole village. The prevailing idea is that all is temporary, like human beings dying, and returning to ashes or being absorbed by nature. Because animals are, according to some indigenous conceptions, close to human beings, a majority of them deserve specific attention. Big wild mammals, like domestic animals sacrificed during collective ceremonies, are not kept individually but prepared and shared collectively, in addition to some parts which are offered to the spirits of the forest. A retribution

¹¹ Personal remarks made by Jeremy Ironside.

system is in vogue not only among the humans but with the non-humans to allow further hunting.

External solicitations have changed the tide and it becomes risky to pretend that all indigenous communities do have a sustainable natural resource management system. Swidden agriculture which can be a perfect sustainable land management project (Bourdier 2006, Ironside 2012) is threatened in most parts of the country by demographic increase and land loss. From another perspective, it has become common to observe people cutting trees in order to hurry up the malva nut collection to avoid competition with other collector. This is not the case everywhere, but a few examples have been identified. Such an acknowledgment tend to mitigate the common sense that all indigenous peoples' livelihoods which are dependent on forest products are 'ecologically friendly'. It is true that both land and forest that have been preserved by the ancestors are closely associated with the present-day life but in a context where their territory has shrunken, sometimes drastically and to a point of no return. Some indigenous peoples are not in a position, or simply not willing, to respect anymore what was sacred and also their traditional conception of the natural environment. It has been also reported that Kreung indigenous peoples in Ratanakiri have been complicit in excessive logging occurring in their own forests (Bottomley 2009). Further south, Bunong adolescents nearby the provincial capital do not hesitate to cut and sell the precious wood in order to get a daily income of \$50.

The notion of sustainability threatens to disappear because of ongoing circumstances which are of course encouraged by poachers and illegal traders but some indigenous peoples



are also responsible. Rather than hide these disturbing facts and figures, a plausible idea would be to revitalize through transmission some of the coping strategies elaborated by the elders. Traditionally, indigenous peoples regard natural resources as communal property used for subsistence lifestyles and not for the quest for individual profit. In case mismanagement and overexploitations take place, there is an organized system composed of elders which could handle conflict crisis and decide what to do at the village level with the aim of resolving the situation.

B. 8 Women Taking Action

An overview of indigenous peoples' perceptions could not be made without mentioning women's great willingness to act in the interest of their villages and groups to protect the interests of future generations.¹² Indigenous women's participation in everyday life is based on an ancestral knowledge that needs recognition and protection. In many instances the cultural identity of Cambodia's indigenous women is particular, and their position within their communities is significant. A series of effective customary laws

¹² We borrow here Magherita Maffii's writing (2009: 436-438). She has extensively been working on indigenous women in Cambodia in Ratanakiri and Monduliri provinces for the last ten years.

ensures their role and guarantees their rights by ensuring a peaceful resolution of conflicts. Indigenous women enjoy an important status in their own communities, and they do not suffer the threat of cultural or religious prejudices.

Nonetheless indigenous women are now facing a series of changes that are endangering their livelihoods, identities, cultures and their status as women. They have acted as shock absorbers by continuously adjusting their lives to the limit of self-sacrifice, ensuring that their families and their larger ethnic groups can survive. Their work has changed and has become more repetitive and alienating; their workload has increased. In many situations their time for leisure and creativity has declined despite the introduction of technologies aimed at reducing their workload. Their increasing responsibilities in ensuring the family's survival has, in turn, isolated them and decreased their exposure to positive changes, while it has allowed their male counterparts to progress in some respects.

The new, incoming culture conveys a predatory vision, similar to that of colonization: indigenous land is seen as a source of fortune to be made, while people living there are irrelevant and invisible. The lack of respect toward the environment, the lack of solidarity, and the prevalence of competitiveness, individualism, and commoditization as the primary values driving this transformation shake the foundations of the indigenous world and deeply affect women's lives. In this new situation, women have a minor status: their work becomes invisible, unvalued and alienating. Family ties are shaken while new models of submission and/or sexual exploitation create the groundwork for discrimination.

Despite these changes, indigenous women have

shown their willingness to actively counteract the worst impacts that modernity is having on their communities and lives, and they may have a tremendous influence in setting the agenda for resisting such losses. Interestingly their main concern is not dealing with domestic affairs or with some specific 'women questions' (like reproductive health and gender issues). Women are much more worried with land issues, with the possibility of transferring portions of lands for their children, and to provide substantial education for both girls and boys. If you ask them why, most of them would have replied: "Because we want our kids to develop the capacity to have a choice and to adjust to the new challenging situation."

C. Legal Status of Indigenous Peoples in the Country

It is worth reminding that the incorporation of indigenous peoples into Cambodia was not the result of migration. They did not ask to come to Cambodia and did not ask to become citizens. It was Cambodia who came to them (Ehrentraut 2013: 32). Historically they formed autonomous, self-governing, institutionally complete societies within their historical homelands and were by force incorporated during the French protectorate. They nevertheless enjoyed a relative independence at that time (Guérin 2009, Eherentraut 2013), compared to what was to be Prince Sihanouk's assimilation policy and its long lasting consequences till now.

Article 31 of the 1993 National Constitution guarantees all citizens the same rights, regardless of race, color, sex, language, and religious belief or other differences. The provision has been opened to a range of interpretations, from stressing discrimination which invokes an inclusive conception of membership to insisting

on the fact that using the term ‘Khmer citizen’ in the constitution does not imply ethnicity. Some authors have pointed out that Cambodia no longer needs the kind of nationalism that is based on ethnic affiliation (Ovesen & Trankell 2004: 56). More commonly, native non-Khmer peoples are referred to as “ethnic minorities” or “indigenous ethnic minorities” (Pheap et al. 2014: 291). However, from 1998 onwards, ethnic names are not anymore mentioned in the country’s new ID cards: both ethnicity and nationality coincided and everybody is considered a Khmer. Not surprisingly, as of late 2013, the designation ‘indigenous peoples’ has not yet been fully registered in Cambodia in either the legal system or the media.

Recently, a handful of indigenous personalities who are involved in private business, received the honorific title of ‘Excellency’ from the government as a reward for their services to the nation. The most well-known is a Kuy from Oddar Meachey province in the north. Otherwise, a timid representation does exist at the national level with historical personalities like a Tampuan senator, who was a former rebel fighter against the Khmer Rouge and got a ministerial political position during the Vietnamese occupation in the 1980s. Few are parliamentarians (Bunong, Tampuan) but indigenous peoples occupy more positions at the provincial and at the district levels: some are holding key positions of governor and vice-governor (mostly in Ratanakiri) and more at the provincial and district council levels (Ratanakiri, Steung Treng, Mondulakiri, Preah Vihear). As expected, a better numeric representation is visible at the commune and village levels.

Yet, the question whether the indigenous council members really represent the indigenous peoples is controversial. Both members of local

indigenous associations and a consistent number of villagers in the northeast are skeptical when observing that their fellows, mostly at the district and at the commune levels, do not have the adequate tools to address grassroots concerns. The common perception is that it seems easier, less perilous and more profitable, for the council members to serve their own interests or at least the interests of their close relatives and friends, therefore creating more conflicts and tensions than solidarity at the grassroots level. Given the entrenched patronage in Cambodian politics, local authorities are at the behest of the party they belong to. The situation is different with good performance recorded nearby, for instance, the Sesan River with the Kachak and in the central north with the Kuy: those two groups do have the reputation to be more united, honest and sincerely devoted to the indigenous causes when it comes to the crucial moment of reinforcing laws (land, forest reservation, human right) and using administrative apparatus for responding to the people’s concerns.

The indigenous peoples’ representation in bodies and mechanisms remains weak and there is no direct correlation between the increasing number of appointed indigenous leaders to government positions at the provincial and district levels and their successful efforts for the wellbeing of the indigenous communities. Some indigenous peoples at the grassroots level are deploring the lack of commitment of the indigenous civil servants (police, military, council members, provincial department officers) whose main priority is to maintain and/or improve their status and position, while other villagers regret that these potential representatives are, so far, not being able to fulfill their task of addressing indigenous problems.

Some villagers, specifically in Ratanakiri, even

deplore that the more indigenous peoples are selected for key positions, the more it becomes difficult for the local population to voice out and address sensitive issues. Such exceptional representation, which could be interpreted as an encouraging sign for integration and negotiation, is to the contrary considered by some indigenous observers¹³ as a strategy of ‘divide and rule’ elaborated by the government. Further, it is used as a weapon against the intention to create an autonomous indigenous federation: appointing educated indigenous peoples at the provincial and district levels, at the head of the police and military departments and so on encourages a kind of assimilation process, through nepotism and distribution of privileges, in the national mainstream dominated by Khmer.

True, there have been reported cases of appointed indigenous peoples, specifically in Ratanakiri, Mondulakiri and Preah Vihear, who are either corrupted or not willing anymore to raise their voices for the others. Some simply do not dare to assume the perceived challenge to represent their fellows¹⁴. Retroactively, they start to be considered as more ‘Khmer representatives’ than ‘indigenous representatives’. During the 2014 interviews, some indigenous respondents went on to claim that not all indigenous peoples are indigenous peoples. The assumption may seem exaggerated but the message is clear and reflective of one of the worrying divides threatening indigenous peoples. Such reported declarations, sometimes violent, are directed not only against indigenous peoples benefiting from government positions but also against indigenous villagers menacing local collective

livelihoods after having contracted economic deals with Khmer from the valleys looking for land acquisition, precious wood and other valuable non-timber forest products.

In the 2013 national elections, most of the indigenous villages voted for the ruling CPP (Cambodian People’s Party), despite the fact that the long term dominant party has repeatedly failed to uphold indigenous land rights. Very few, like some Jarai in Ratanakiri and Bunong in Mondulakiri, switched to the opposition, less for political ideology than to use the 2013-2014 Phnom Penh demonstrations after the election results as a platform for making visible, with media support, issues related to land dispossession.¹⁵ Although civil society action and organizations gained greater national prominence in Cambodia during 2013, the indigenous peoples’ movement has yet to find linkage with other sectors, such as the garment workers’ movement. Indigenous organizations, while growing in 2013 and 2014, still remain largely invisible on the national level. From an indigenous perspective, however, neither the CPP nor the opposition party CNRP (Cambodian National Rescue Party) has demonstrated any genuine political will to protect indigenous rights, leaving the indigenous rights movement estranged from mainstream civil society power contestations (Pheap et al. 2014). Besides, decentralization and the promise of indigenous people’s empowerment, including through international intervention with the World Bank, remains a project at stake, according to Ehrentauf (2011).

13 Interviews with Tampuan villagers living near the provincial capital Ban Lung and with members of indigenous associations based in Phnom Penh.

14 Exception made for ‘neutral topics’ like the promotion of cultural heritage, preservation of traditions (music and dances), ecotourism...

15 Personal observations and interviews with Jarai, Tampuan and Bunong peoples in Phnom Penh (March 2014.)

D. Laws, Policies, Programs, Mechanisms

The national legislation specifically recognizing indigenous peoples and their rights is contained in subsequent laws and policies dating from 2001 (Land Law), 2002 (Forestry Law), 2007 (draft sub-decree on procedures for registration on indigenous lands), 2007 (declaration on the rights of indigenous peoples adopted by Cambodia) and 2009 (National Policy of Indigenous Development) and 2011. Many laws have been written, and a basic legal and policy framework exists for the protection of the rights of indigenous peoples. But few are really implemented whenever there is a problem. One may wonder, based on numerous facts and figures available in a rich and diversified non-government organisation literature, whether law enforcement is deliberately slow and complicated by a general lack of clarity on how different laws interact with regard to indigenous land.

One of the essential laws, the 1992 Land Law, was adopted to remedy the loss of previous property ownership destroyed by the Khmer Rouge regime. It was supposed to provide land security to both the civilian population as well as to foreign investors. But the Land Law also made a clean sweep of all past claims to land, stating that any regime of ownership of immovable property prior to 1979 shall not be recognized. Importantly, another law, the 2001 Land Law validated the indigenous land tenure systems of the uplands that existed prior to the Khmer Rouge and it recognizes and permits swidden cultivation 'according to customary rules of collective use'. It defines indigenous communities, in *chuncheat doem pheak tech* terminology as group of people residing in the territory of the Kingdom whose

members manifest ethnic, social, cultural and economic unity and who practice a traditional lifestyle, and who cultivate land according to the customary rules of collective use (quoted by Ehrentraut 2013: 99).

The 2002 Forestry Law has been the second package of the national legislation to provide indigenous peoples another consideration. It allows them to create community forest management without asking the permission of any administrative authorities (Billon 2002). Article 37 of Forestry Law also makes possible the recognition of swidden agriculture. Besides, they can use the forest for their traditional activities and they are authorized to develop their own petty business. They do not need to ask permission from the forestry department to collect natural products from the forest, and sell these at the local markets, unless they decide to create a significant business, which can be under the cover of small scale enterprise, and in that case they need to register for paying tax. But too often, the link between communities and government remains evasive (Brown 2006). Needless to say, this law appears outdated for more and more villages which do not have any more forest in the nearby natural ecosystem.

The 2009 National Policy of Indigenous Development is more a guideline for facilitating access to ten sectors with fifteen ministries involved. The scope is huge, ranging from health, education, justice, land rights, water, infrastructures, energy, environment, tourism and culture. In terms of linking these activities with socio-economic development, one may wonder about the negative impacts that have been already highlighted in a collective study (Bourdier 2009). Indigenous peoples who are members of a local association claim that in practice, there is little evidence of real national

cooperation and no sufficient attention is given by the ministry levels which are most of the time not aware, if not totally ignorant, of the reality of the local contexts.

Besides, the Cambodian government has ratified many of the main international human rights conventions, including the International Convention on the Elimination of Racial Discrimination (ICERD). In 2007, the Cambodian government supported the adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) but has still not ratified International Labor Organization (ILO) Convention 169.

The Prime Minister's Directive 001, also known as Order BB01, before the 2013 elections had some adverse effects. In May 2012, the Cambodian government initiated a new legal mechanism intended to resolve the many land disputes that had resulted from the rapid land concessions. This directive seeks to resolve land disputes by authorizing a rapid demarcation process in which individual private plots of land are mapped and titled. This new land tenure policy has had some beneficial results for non-indigenous people in the Cambodian lowlands, but it has not been appropriate for indigenous communities, because it does not recognize collective land rights (Milne 2013). It emphasized privatization of communal lands, created confusion within the communities when people were requested to apply for private land titles, and caused delays and conflicts in the land titling process. The possibility of collective land title was lost for some indigenous communities that have not begun the titling process. Because it was quickly implemented with no conciliation and insufficient awareness provided to the indigenous communities, many villages are now blocked from the process of registering a

secure collective land title.

A new agriculture law in the pipeline may also generate additional problems to indigenous farmers. Frequently and falsely considered as destroyers of the forest because they practice swidden agriculture, the future law intends to limit the size of the cultivation plot per family. In addition, burial land and sacred forest (inhabited by spirits) cannot be more than seven hectares for a village, irrespective of the increasing local demography. There is also a 2014 National Strategic Plan (NSDP) prepared by the Ministry of Planning: a forum was conducted at the capital but very few indigenous participants were present. Those who attended got the impression that they were just invited as observers, and were neither active in the process and in the discussions, nor were they active in the negotiations¹⁶. A technical working group, composed of a majority of Khmer and a minority of indigenous members, has been nevertheless created to ensure that the government will implement the parts of NSDP that pertains to indigenous peoples. Still, there is the prevailing idea, sensed by indigenous activists that the government is not willing to give space for the indigenous civil society to be united and to participate in national decision-making processes concerning their destiny.

Cambodian authorities do not work in isolation. The European Union (EU) is Cambodia's largest partner in terms of development assistance and their policies on indigenous peoples reflect the most ambitious goals of supporting rights as stipulated by the above mentioned UNDRIP. It aims to strengthen the rights and increase their own capacity to control their socio-cultural development, while enhancing

¹⁶ Main pretext put forward by the government is that « time is short, we cannot speak forever » (sic).

territorial rights and capacity for sustainable management of biological resources (NGO Forum 2013). In 2013, the EU awarded four projects that aim to improve justice at the local level, protect natural resources and land rights to vulnerable populations, and build capacity of local authorities at sub-national level. Oxfam will execute the initiative to support the access to land and natural resources with special emphasis on women's access to land in the four central north provinces (Kampong Thom, Preah Vihear, Kratie, Steung Treng). Other projects will focus more on strengthening the role of the civil society in supporting communities to secure their land rights and to advocate for policy and practice change (quoted by NGO Forum, *op. cit.*).

German bilateral agency is another official partner of the Land Rights Program with the Ministry of Land Management, Urban Planning and Construction (MLMUPC). The German agency GIZ is providing capacity development support to the national, provincial, district and commune levels. For example, the support for conflict resolution goes to all four levels and the same is true for the support to collective titling for indigenous land¹⁷. The development of policy and legal framework is however concentrating on the national level only. Communal land titling for indigenous people is the main issue with only eight villages that managed to get it since 2001. An international consultant working with the government to facilitate communal land titling said that none of the involved three ministries can be blamed for the slow process: the bottleneck is in between the processes of the Ministry of Interior and MLMUPC, where no ministry is in charge. Identifying the community

as indigenous, in spite of the rigid definition to be recognized as it is (Baird 2013, Swift 2013), is the first step of the process under the mandate of the Ministry of Rural Development (MoRD). So far, 104 communities have been identified. The second step of the procedure which is under the Ministry of Interior (MoI) is the recognition of the community as a legal entity, as defined and based on the by-laws. So far, 86 communities have been legally registered. The bottleneck is in the preparation of so-called temporary maps and the definition of internal rules on land management that have to be fulfilled by the indigenous communities themselves. No ministry is in charge thus, as defined in Sub-decree on Indigenous Land Registration, temporary maps and internal rules have to be completed before the village can apply for land titling (collective land registration). This is where the delay is created and some blame the local communities who don't have sufficient capacity to do the temporary maps and the internal rules by themselves and thus cannot apply for collective land registration. Most NGOs that provide support for the processes with MoRD and MoI have insufficient tools to produce the geo-referenced temporary maps either. Most indigenous villagers, grassroots organizations and independent observers, say that national authorities encourage such condition and do not provide technical support for the communities, when it should be the duty of the state to fulfill its obligations to respond to a legitimate project coming from its citizens.

17 The application of collective land title is a possibility that can be granted only to villages having at least 60% indigenous peoples.

E. Projects/Programs of the Government in light of the ASEAN Integration Plan

Various programs encouraged by the Cambodian authorities have already been implemented, and more are to be undertaken. As decision makers receive internal and external pressures, they want to get ready by 2015. In that perspective, most of the national economic projects are expected to fit in the Association of Southeast Asian Nations (ASEAN) integration Plan but many of these undermine the rights of indigenous peoples.



Land and underground natural resources are the main sources of attraction. The size of occupied land is huge and the number of affected people is escalating. In Ratanakiri alone, it has been reported that 97 indigenous villages (out of 240 villages) have been already affected by rubber plantation and seven by mining corporations. These cover an area of 175,000 hectares, and do not take into account what is about to be extended or cleared by new companies¹⁸ as data changes almost on a monthly basis.

The socio-economic Development Master Plan initiated by the Vietnamese government

18 Information given by Highlander Association, October 2014.

and ratified by Cambodian and Laotian authorities (Unknown 2004) is part of the ASEAN Integration Plan. This economic project is supposed to stimulate economic growth by increasing capital forces, attracting foreign investments, intensifying commercial relationships and any forms of socio-economical activities that can provide monetary return among the concerned countries throughout 13 provinces (four in northeast Cambodia including Ratanakiri, four in south Laos and five in central Vietnam). Economic Land Concessions (ELCs) granted to Cambodians and overseas companies have facilitated the Master Plan's quick and effective implementation not only in the region under scrutiny but everywhere in the country.¹⁹ A critical literature already deals with the ways and conditions that the ELC process has been designed for plantations (Colm 1996b, CCC 2009) and for registering land to the detriment of local communities in a predatory-capitalist context (Brown *et al.* 2005, NGO Forum 2004, Baird 2013, Keating 2013). As a result, the Indigenous Right Active Members (IRAM) claim that more than five million hectares of indigenous peoples' land has been taken away by the Cambodian government and given to the miners and developers of agricultural plantations (NGO forum 2013: 41). A map of ELCs and mining concessions reflects the officially available government information which remains partial because a very large number of concessions have been granted on lands overlapping with indigenous traditional lands.

¹⁹ In an interview, asked about indigenous participation in Ratanakiri, a top Cambodian official replied without hesitation that the local populations do not need to be consulted. The government only deals with competent ministries, official authorities, foreign and Cambodian investors. (Cambodia Daily, March 2010)

Developers say that an alternative for indigenous peoples would be to become employees for the growing number of established companies which have been granted ELC. Working for others has always been in the context of exchanges of services among villagers. But the idea of permanent or seasonal employment is less conceivable. The thought of a job with restricted hours appears incongruous and unacceptable to a vast majority of indigenous peoples, except for those who have no more land and therefore no more choice. As a result, investors and companies recruit Khmer people from the valley who settle in the territory formerly inhabited by indigenous peoples.

Hydropower development projects have recently been on the increase. In the north, the huge Don Sahong dam which is going to be constructed at the Lao border will have social and environmental impacts and some indigenous communities have not been consulted. On the Sesan River, fishing resources have fallen drastically close to zero in many parts and villagers have observed that the reproduction cycle has dropped tremendously due to several dams constructed in Vietnam. Again in the northeast, the construction of the Lower Sesan 2 dam has begun with alarming human and ecological consequences (Baird 2009b). This is a 400+ megawatt dam that will immediately displace more than 5,000 Lao and indigenous peoples, and impact on tens of thousands more, and cause irreversible damage to the ecosystem of the Greater Mekong River (Hirsch & Wyatt 2004). This is but one of the many hydropower dam projects that are planned for the waters that flow through the Mekong basin.

Cambodia recently discovered its high potential for land-based metallic minerals as bauxite, copper, gold, and iron ore, and industrial mine-

rals as gemstones and limestone. Many of these valuable resources are located in indigenous lands: Koh Kong in the south, Preah Vihear, Ratanakiri and Mondulhiri in the north. Mining exploration priority has been granted to Canadian, Australian and Chinese companies. One has been cancelled by the Prime Minister, due to the lobby of a powerful conservation NGO working in the Cardamom forests. Others stop their activities once the forest has been cut and the precious wood taken away as with the case in Mondulhiri. In 2012, A corporation known as the Cambodia Iron and Steel Mining Industry Group (CISMIG) reportedly partnered with the Chinese Exim Bank and subsidiary companies of the China Railway Group on a \$11.2 billion deal to expand iron mining in several districts in Preah Vihear province (Rovieng and Chey Saaen), which is in the heart of traditional Kuy territory, to develop a large steel production facility in Rovieng, and construct a new railway line that will reach from southern Preah Vihear to the port of Koh Kong at the extreme south of the country. Known as the Chinese North South Railway Project, the amount of land reportedly licensed is around 2000 square km. If developed, the project will likely destroy much of the Prey Lang forest in Preah Vihear, and displace thousands of indigenous peoples along with other rural Cambodians.

F. Key Issues and Challenges

Cambodia is in the grip of a land-grabbing crisis associated with structural violence. Everywhere and without exception throughout the Cambodian territory, land deprivation is the most serious problem affecting the indigenous population. The lack of land security is not restricted to some particular ethnic groups but affects the lowland Khmers as well. A growing majority of rural Cambodian citizens,

including indigenous groups, are becoming landless. Contrary to what has been claimed, natural demographic increase and migration of the lowlanders are not the sole reasons. The question of land grabbing is more widespread in indigenous areas which are the object of desire due to the fertile land with a high potential for attracting single cash-crop agriculture. As mentioned earlier, a substantial part of the lands which ethnic minorities have occupied since time immemorial have been taken away by private investors and speculators following the chaos of the civil war between 1970 and 1998. A map localizing the proliferation of concessions being granted for the exploitation of natural resources for developments such as commercial plantations, extractive industries including minerals, oil and gas, and hydropower dam project, shows clearly a disproportionate concentration of those projects on indigenous peoples' lands.

According to the Indigenous Peoples NGO Network (2010: 5), these projects have violations under Cambodian law and caused the displacement and evictions of indigenous communities like the Kuy in the north (mineral concessions), the Souy in Kompong Speu (agro-business and tourism concessions), the Stieng in Kratie (rubber plantation), the Bunong in Mondulhiri (rubber plantation) and the Jarai in Ratanakiri (rubber plantation²⁰). The negative impact of the biggest companies is hard to overstate: often the indigenous peoples²¹ come to know about the company to whom their land is being given only when bulldozers arrive (Global Witness 2013). As it has been documented with the Kuy in Preah Vihear

20 A 500 hectare piece of land has been acquired by the sister of the Minister of Finance who is the wife of the Secretary of the State of the Ministry of Land Management.

21 Similar process occurs with the Khmer residing in the valleys.

(Pheap and Ngach 2012), affected families were impoverished, faced food and water shortages, got symbolic compensation, and their spirits' forests and burial grounds destroyed. When indigenous communities resist, as the case in so many places in the northeast, they face violence, arrest, and detention, often at the hands of armed security forces that are on the investors' payroll. Besides, the supporting



Kuy villagers of Prame Commune, Preah Vihear Province confronting machine operator of Lan Feng/Ruy Feng concession (Samin Ngach)

role of local authorities against land grabbing is not sufficiently understood or valued by the communities – even if exceptions do exist in Kampong Thom and Preah Vihear with the Kuy – who opt to enter in open conflict rather than in dialogue and negotiation with local authorities and council members whom the Kuy consider as powerless, pro-government and 'double agents' in favor of national and international investors. This is partly due to lack of real participation of all villagers in the decision-making process, and a lack of visibility on the part of local authorities, except when important land disputes occur. Lack of consultation is not the main reason. In Preah Vihear²² and in Ratanakiri (Bourdier 2008), there was a deliberate selection of so-

22 Personal inquiries, October 2014.

called traditional leaders or representatives of the community who were invited to be part of the round table because they were known as ‘easy going persons’ by the authorities and recognized for their normative discourses, to the detriment of those who were willing to address sensitive issues.

In most cases, failure of conflict resolution is rampant. Attempts to get access to justice have rarely succeeded in spite of a few local NGOs providing assistance with jurists and lawyers, as it has been clearly reported in Bunong areas in Mondulkiri (Diokno 2008). So far, the cadastral commissions receiving land conflict complaints have been ineffective in resolving high profile land disputes due to improper referral and continued backlog. A documented study in Ratanakiri shows that land use tenure and change are becoming so unpredictable that the present generations face growing difficulties to believe in land inheritance (Fox *et al.* 2008). Many young people start developing a bleak vision of their future and some try to find ways out of their communities.

In early 2013, Cambodia had 57% forest cover, the second highest in the Greater Mekong region, and a high deforestation rate (1.2%/year, 2005–2010). Presently, the deforestation rate is increasing and forest cover must have drastically decreased. In many villages, pressure on the land has been so strong that community authorities have not been able to cope (Fox 2008). On a larger scale, a worldwide scientific GIS and remote sensing investigation showed that 7.1% of Cambodian forested areas, nearly the size of the huge province of Ratanakiri, had been cut from 2000 to 2012 (Hansen *et al.*, 2013).

The large-scale transfer of nearly half of the

provincial area, which is facilitated and strongly encouraged by decision makers in Phnom Penh, is made to the detriment of the occupants who received no compensation at all. Villagers came to know about the encroachment at the last moment, once the ELC had already been signed. Along with the huge amount of land transfer to investors²³ comes the question of illegal logging and illegal forestland encroachment. Most concessions systematically cut all forested areas in their circumscriptions even when not justified. There is forestland encroachment because they frequently go beyond the allocated land and take the opportunity to cut precious woods outside the allowed boundaries. These are illegal. Deforestation is not only associated with this kind of non-negotiable land transaction. Documented testimonies which are compiled by local NGOs and international entities reveal constant logging activities but these are not always recognized by the police and related authorities. A recent document prepared by the Ministry of Agriculture mentions that 1,891 cases of forest crime and illegal logging have been reported from January to September 2014. There was no mention made about acts that occurred in indigenous forested areas.

National parks, previously inhabited by indigenous peoples who have been relocated outside the boundaries of the sanctuaries like those in Ratanakiri, Mondulkiri, Preah Vihear and Koh Kong, are also affected by both well-organized logging enterprises and private poachers or secretly mandated by high ranking persons belonging to the government or by well-connected businessmen. On a larger scale,

23 There is no reliable data for indigenous peoples’ land areas, but a scrupulous investigation mentions 2.6 million hectares of land being leased in Cambodia, with 1.2 million of this for rubber (Global Witness 2013). Needless today indigenous land proportionally represents a high percentage.

NGOs and villagers recently blamed the logging problem on how the government handles all the illegally trafficked wood it seizes (Pheap 2014). In recent years, the highest authorities have allowed all confiscated timber to be bought by a timber magnate close to the Prime Minister. The entrepreneur, Try Pheap, has the exclusive right to buy all the wood in the government depots which fuels illegal logging across the country. By law, the government is supposed to put it all for public auction but this is not being done, while the magnate has already made more than two hundred million dollars in profit by selling the wood abroad (Global Witness 2013).

Under such circumstances, it is obvious that access to natural resources, both for cultural practices and forest collections, is becoming a growing concern for more and more indigenous communities. Swidden agriculture, which provides a huge variety of edible and non-edible products, is on the verge of extinction in a growing number of geographical areas. In some cases, by choice, as Kuy villagers have long opted to switch to lowland agriculture, but more frequently now, due to constraints occurring in villages closed or surrounded by land hoarding. This is what has already happened in Tampuan villages in the vicinity of the provincial capital, in nearby communes (Ironside 2012) and in far distant places with other ethnic groups like the Lun and the Brao. This is in spite of a genuine, but failed, attempt of developers to involve people's real participation, with regard to natural resource management (Ashish 2009). Too frequently, development conditionalities have been biased with a ready-made agenda implying insufficient negotiations between peoples' aspiration and the reality of the development practices. Again, indigenous knowledge, potentialities and adaptability are

neglected, if not rejected, by political decision makers and a majority of developers who remain convinced that economic development and national integration are the reasonable ways to eradicate 'superstitions,' 'irrational behaviors,' and 'ignorance' that lead to poverty and delay the evolution of the nation. Culture is mentioned as a courtesy but being imposed upon it are 'good practices' that do not take into account existing internal dynamics. In other words Khmerization appears to be an appropriate remedy and solution forced upon peoples who are regarded as second-rate citizens.

This leads to another set of challenges associated with discrimination, dignity and self-determination, already theoretically conceptualized (Hammer 2008, White 2009) and more practically depicted (Ironside and Nhem 1998, NGO Forum 2004, Indigenous People NGO Network 2010). In 2014 interviews, indigenous peoples from the northeast belonging to indigenous associations revealed that besides the human rights abuses and discriminations done by Khmer and also unusually by an indigenous elite who opted to be assimilated, one of the main challenges faced by indigenous communities is their lack of unity, both at the provincial (exceptions in places inhabited by Kuy) and the national levels. The Government, according to interviewed indigenous individuals, is trying its best to avoid such federation and grouping that could turn into unwelcome social mobilization and political unrest. Even if these statements deserve to be taken into account and more seriously documented, unity has never been a natural characteristic of the Cambodian indigenous world. It is a new paradigm which occurred in times of internationalization of indigeneity. Unity is associated with social cohesion, but in some cases, this solidarity

has been already broken down by third parties who interfered in villages' life, mostly for land grabbing. Numerous cases of administrative headmen – *mephum* and *mekhum* – have been reported being abused by provincial and district authorities who pushed them to convince their villagers to sell their land before it became too late and before the land, supposedly without official title, is confiscated by authorities for the purpose of national development.

Cohesion has also been weakened by well-minded funding agencies imposing agendas that do not fit with the local priorities. For instance, the desperate attempt to identify leaders by any means has been taken as granted by various NGOs and research agencies who did not hesitate to fabricate and invent so-called leaders in societies, usually characterized by a total absence of power and of political prerogative (Bourdier 2008). Worse, such artificial constructions gave birth to a new generation of self-proclaimed headmen who are not at all representative of the whole community and take this opportunity with self-interests. Regarding women, too frequently, NGOs and government core priorities have been set on reproductive health, gender and domestic violence which are not the perceived women priorities. Independent studies reveal that their main concerns are land scarcity, loss of natural resources and inadequate schooling for their children (Jonsson 1997, Bourdier 1998, Maffi 2009).

Education is another perceived priority. There is a general consensus among indigenous peoples to send their children to school to have at least the 'capacity to choose.' Even if schools are found in remote areas, they remain empty due to regular absence of the Khmer teacher and their unwillingness to live in the village.²⁴ The

Ministry of Education has approved bilingual education in 2009 and it has substantially been implemented in provinces like Ratanakiri (Gregerson 2009). But a study in the very north of the province shows a gender disparity in attendance and a tendency among male students to be dissatisfied with the content of the teaching which they deem not adapted to their lifestyles and not indigenous-oriented (Ham 2011).

A lot of investments have been done for advocacy but impacts are mitigated. For some analysts, it is a long process which cannot be achieved alone and in a short period. For others, more pessimistic, results are not encouraging. Some activists claim that it has not worked at all, apart from very few exceptions. The main reason is that both local level association and local representations do not exist. Registered indigenous associations are recognized for their utility and political activism but, according to some of their detractors, they hardly manage to enhance solid voices representative of the whole community. The social capital of indigenous communities, as evidenced by the existence of formal and formal associations, needs to be restored and strengthened (Brown *et al.* 2006). But small development projects have sometimes, and probably unconsciously, undermined such expectations. It may happen that civil society does valuable work in the indigenous communities but their potentials are not always effective because villagers are simply not involved when NGOs plan their projects. For instance, women, elders and members of the traditional council of the villages are too frequently absent from the village gatherings, and more systematically when meetings occur outside the village in which an emerging socio-economic elite, sometimes indigenous,

still very few qualified indigenous teachers.

²⁴ The salary alone is insufficient for surviving and there are

predominates the scene (Bourdier 2008). Because of such inconsistency, working at the village level is an expected positive ambition, whose purpose is to put together people who are not NGO members, through community-based organisations (CBOs), for allowing them to raise their voices.

G. Indigenous Organizations, Movements, Alliances, and Networks

There are about 42 international and national NGOs working on indigenous issues in Cambodia. The NGO Forum in Phnom Penh tries to coordinate with local and international organizations to form the Indigenous Peoples NGO Network (IPNN). This network works on land rights as a priority and makes development strategy plans in cooperation with active members like Oxfam, Heinrich Boell Foundation, NTFP organization, Cambodian Human Rights and Development Association (ADHOC) and many others. Within the 15 national NGOs, at least eight are registered as indigenous peoples associations: the Organization to Promote Kuy Culture (OPKC) in Preah Vihear, the Highlander Association (HA), the Indigenous Peoples for Agriculture (IADC) in Ratanakiri, and the Indigenous Peoples Right to Health (IPRH) established in 2009 and based in Ratanakiri and Mondulakiri. Three others are either based in Phnom Penh or based outside to better extend their activities at the national level, the Cambodian Indigenous Youth Association (CIYA) established in 2005, Indigenous Rights Active Members (IRAM) formed in 2003, and the Cambodian Indigenous Peoples Organization (CIPO) recently created in 2014.

Indigenous peoples associations share a common denominator and it is worth quoting Keating

(2013: 320) who understands indigeneity as an international emerging process within a global socio-political ecology and time of intensified resource capture and extraction, a strategy of adaptation based on political negotiation that is grounded in the histories of peoples' experiences. Board members of indigenous associations are convinced that they cannot work in isolation and that there is a need to be interconnected with other indigenous organizations in Southeast Asia and also in South and North America. Some Cambodian delegates have gone abroad to the Philippines, where social mobilization is powerful, and in Thailand, Laos and Vietnam. A few have recently attended international United Nations meetings in the United States and have shared their experiences and explained the main challenges they face in their country of origin. They could come back with a certain additional strength which have made them aware that they can work in solidarity and symbiosis with geographically distant communities who face similar challenges. They have also been in a position to observe the extent to which non-Cambodian indigenous peoples have been able to tackle sensitive issues and how they could use international laws ratified by their countries.

A new trend, at least in Cambodia, is to go beyond local advocacy and to build international advocacy. This is what has just happened with the first initiative on land issues initiated by Global Witness (2013). The idea is new, daring, in line with a "realpolitik:" rather than trying desperately and ideologically to solve the problem at the national level, better approach the International Finance Corporation (IFC),²⁵ other important banks and foreign governments financially connected. It seems the only way to counterattack the giant companies, like the two

²⁵ The private lending arm of the World Bank.

Vietnamese ones with huge ELCs in the north, which planted rubber trees with disastrous consequences for the indigenous communities and the environment. Close ties to corrupt political and business elites provide them with impunity. Both companies are involved in clear-felling intact forests within and beyond their already oversized concession boundaries.²⁶ They also have close acquaintances with some Cambodian government officials and are in partnership with notorious illegal logging syndicates. Such a well-established system can hardly be stopped from inside, even with sincere local advocacies. As an indigenous human rights activist says, “the arms of the poor remain poor arms.” So the current option is to advocate and put pressure on the international financiers which are providing loans to the implementing companies. For instance, the Deutsche Bank had multi-million dollar holdings in the two Vietnamese enterprises. These investments contrast sharply with both institutions’ public commitments to ethical and sustainable practices, including with the World Bank’s, to fight poverty for the millennium development goals. Advocacy for such indigenous land spoliation can therefore be done with the IFC and other international entities directly dealing with these companies.

This new approach implies the acquisition of new tools and skills that some educated indigenous peoples want to reach. These are the most promising expectations of indigenous individuals who are eager to obtain this level of competence by becoming professional analysts, for devoting their life to the well-being and the future of their fellows. So far, some of them are in the process of strengthening

their geopolitical, economic and diplomatic capacities by establishing new networks within their associations with external support agencies and international movements going in that direction.

This does not mean that actions at the local level are supplementary. Indigenous NGOs are aware that new influences are creating a culture of individualism which undermines both collective interests and collective resource management. Hierarchy and inequality are on the rise. Some young educated indigenous peoples opted to stay in Phnom Penh to be close to the institutional bodies – government, NGOs and International NGOs. Others stay in their commune of origin and keep close links with the villagers. Exchange of information at the grassroots level is fundamental. There are the encouraging examples of broadcasting in vernacular languages,²⁷ allowing a voice that is not filtered by the authorities (Brown *et al.* 2011), community radio stations that need to be more extended as a vehicle of independent mass media that can be used by indigenous organizations. With the intensification and internationalization of communication, and when local administrative leaders have lost their credibility because villagers have associated them with illicit activities, there is an acute need to reestablish proper guidance and connection that can be done only with all the chain of actors working on indigenous issues.

²⁶ A concession should not have, by law, more than 10,000 hectares. A common practice is to use different names for the same company.

²⁷ It has started in pilot areas in Ratanakiri, then in Mondulkiri. News are supposed to correspond to the needs of the whole indigenous societies

H. Key Recommendations

As of 2014, the four indigenous peoples' organisations (IPOs) have made various efforts on the promotion of indigenous peoples' rights to land and resources in Cambodia. This is in addition to recent initiatives undertaken by CIPO which has recently been registered. Those efforts diverge sometimes in terms of priority and according to particular perceptions related to the location in which they are concentrating their action, even if some of them, like CIYA and CIPO, are presently proposing nation-wide perspectives.

One major issue is that all of the five IPOs are willing to advocate beyond the geographical and political borders of Cambodia. Indigeneity is becoming a platform to establish networks within and also outside the country. A significant advocacy cannot anymore be done in isolation, and that is why the five IPOs maintain various kinds of relations among themselves and in connection with non-Cambodian groups working on the same issues. They also expect their voices to reach important international organizations like the United Nations. International solidarity needs to be strengthened not only for the five groups themselves, but for the benefit of the whole indigenous peoples that they are willing to support, follow and empower.

A second issue is to continue to be united, irrespective of the perceived interests and priorities promoted by each specific group. It has been frequently observed that the national government of Cambodia is trying to avoid such unification which could act as a more effective counter power against the mainstream government's position of discriminating and looking down at indigenous peoples. Most of the members of the indigenous

peoples' association are aware of such threat and must act accordingly. Recognising the individualizing or nuclearization influences that is creeping into indigenous organizations and communities, IPOs have coalesced into the Cambodia Indigenous Peoples Alliance (CIPA) to propagate indigenous values of community solidarity and cohesion.

The following recommendations have been clearly expressed by some members of the IPOs and NGOs, including CIPO and CIYA (December 2014).

1. Indigenous peoples' alliance should be clear about their role in joint work planning and action implementation at the community and national levels;
2. The joint commitment action plan should be related to any case that affects indigenous peoples in Cambodia and along with their organization's mandate (Indigenous Peoples' Day, Human Rights Day, statement or press conference or meeting/ dialogue with national authorities or the Parliament or other key actors involved in the issues, to find options and solutions);
3. Strengthening real solidarity among indigenous peoples' organizations or networks is fundamental;
4. Indigenous peoples' organizations should motivate and support the initiative of community leaders at the village level in planning and implementation;
5. Indigenous peoples' alliance must consider having strong connection with each other and link up also with the non-NGO network supportive of indigenous peoples' rights and issues for more adequate and efficient collaboration;

6. The technical and budget contributions from regional or international bodies should further support youth and women empowerment, and organizational development capacities to involve the civil society in government affairs.

The following are CIYA's specific recommendations (December 2014) :

1. Livelihood and land security are the main concerns of the whole indigenous peoples in Cambodia. In that respect, international funding agencies willing to support research and action related to indigenous peoples should focus on the real needs nowadays expressed by the local peoples;
2. Cambodia is going to be integrated into the ASEAN market, and in that respect there is a need to articulate the national economy with the local market. For mutual benefits, both government and donors should consider the economic value of the various products made by indigenous peoples either for national or international markets;
3. The government should respect the rights of indigenous peoples to maintain their agricultural practices, but also to allow (and in that case to encourage) the community members to change some of these practices if they want. Self-determination and ownership for agricultural practices should be respected;
4. The government should ensure that environment issues are protected, like water resources which are essential to human life, and forests which are helpful for maintaining ecosystems. The economic land concessions hardly take into account both social and ecological impacts of their

predatory system on the peoples living nearby.

5. Biodiversity is also threatened because of uncontrolled deforestation, mostly by private investors and outsiders, in addition to economic land concessions. This biodiversity has to be maintained for proper continuance of wildlife, etc. but also, as it has always been the case in the past and recent past, for human purposes;
6. The indigenous youth lack opportunities for proper education and vocational training. They have no access to general information and government plans do not reach them. Many of them have access only to short term pursuit of financial gains, resulting to lack of vision. There is a need to restore their vision and long term perspective;
7. To the contrary, either officials or business people encourage the new generation to make easy money, for instance, by cutting precious wood and selling these to the former. Law enforcement should replace impunity, not on the new generation but on those who are committing and encouraging illegal logging which is highly prevalent on indigenous lands;
8. Broadcasting and media should deal more with problems and questions close to Indigenous lives and preoccupations;
9. Social security and justice are still weak. Most of the indigenous activists are threatened by the government when they appear in public. They should be given space for expression, and the government should not consider exchange of opinions and discussions as 'incitement' against the law. There should be freedom of expression to

speaking about dam, land and access to natural resources as these are fundamental topics to be addressed. Also, more immediate actions should be taken whenever complaint cases are filed by indigenous peoples (such statement is already existing within the prevailing mechanisms on which the court relies on);

10. The government should encourage the formation of indigenous groups that can express better their ideas and propositions than individuals. Constituting a group is not a threat against the government, but a human resource that can better develop clear tools to represent the majority of the indigenous peoples;
11. Development priorities, including for the coming generations, are education, health and political analysis. It must be considered that national development plans and strategies are still totally unknown to many Indigenous villagers.
12. International agencies, mostly bilateral agencies, have a general tendency to work with the national government, while having insufficient contacts with the grassroots peoples. A proper balance needs to be stimulated to lessen the gap and distance created with indigenous peoples.
13. Indigenous rights should be incorporated with democratic processes. For instance, leadership at the community level is still unequal not only between women and men but between indigenous and non-indigenous peoples. A better balance of power needs to be taken into consideration;
14. Finally, participation of the indigenous societies in decision-making, from the

village level to the international level, is essential. It needs to be seriously taken into consideration insofar as it does not really exist in the present-day situation.

Selected bibliography

Ashish, J. (2009) *Dancing with Tigers: The Practicalities and Realities of Natural Resource Management as Part of a Development programme in Ratanakiri, Cambodia*, in Bourdier, F. (2009) *Development and Dominion: Indigenous Peoples of Cambodia, Vietnam and Laos*. Bangkok, White Lotus: 249-276.

Azemar H. (1886), *Les Stiengs de Brolam, Excursions et reconnaissances*, 12 (27 & 28) : 215-250.

Baird, I. (2013) 'Indigenous Peoples' and land: Comparing communal land titling and its implication in Cambodia and Laos, *Asia Pacific Viewpoint*, 54(3): 269-281.

Baird, I. (2009a) From Champasak to Cambodia: Ya Chau Tham, a wily and influential ethnic Lao leader, *Aséanie* 23: 31-62.

Baird, I. (2009b) *Resettlement for Large Dams: The case of Planned Lower Sesan 2 Hydropower Project in Northeastern Cambodia*, Phnom Pen, The River Coalition in Cambodia, May 2009.

Baird, I. (2008a) *Various forms of colonialism: the social and spatial reorganization of the Brao in southern Laos and northeastern Cambodia*, Ph.D. dissertation, Geography department, University of British Columbia, Vancouver, Canada.

Baird, I. (2008b) Colonialism, Indigeneity and the Brao, in Cerni, C., *The concept of Indigenous Peoples in Asia: a resource book*, Copenhagen, International Work group for Indigenous Affairs: 201-221.

- Baradat, F. (1941) Les Samrê ou Peâr, population primitive de l'ouest du Cambodge, *BEFEO*, t. XLI: 1-15.
- Billon, P. (2002) Logging in the Muddy Waters: The Politics of Forest Exploitation in Cambodia *Critical Asian Studies* 34(4): 563-586.
- Bottomley, R. (2009) Contested Forests: An Analysis of the Highlander Response to Logging Ratanakiri Province, Northeast Cambodia, in Bourdier, F. (2009) *Development and Dominion: Indigenous Peoples of Cambodia, Vietnam and Laos*, Bangkok, White Lotus.
- Bouillevaux, C.E. (1874) *L'Annam et le Cambodge, Voyages et notices historiques*. Paris, Victor Palmé.
- Bourdier, F., Boutry, M., Ivanoff, J., Ferrari, O. (2014) *From Paddy States to Commercial States. Some reflections on identity construction processes in the borderlands – Cambodia, Vietnam, Thailand and Myanmar*, Amsterdam, The Netherlands, IIAS.
- Bourdier, F. (2014), Socio-ecological transformations in a Tributary Region of the Mekong in Cambodia: Culture of resistance or resistance of culture? *Asia Pacific Viewpoint* (to be published)
- Bourdier, F. (2013) Réflexion pour une ethnohistoire des peuples sans écritures au Cambodge, *Péninsule*, 65, 1-29.
- Bourdier, F. (2012) Nouvelle agriculture et transformations familiales sur les hauts plateaux du nord-est cambodgien *Revue Autrepart* 62 : 217-236.
- Bourdier, F. (2009) *Development and Dominion: Indigenous Peoples of Cambodia, Vietnam and Laos*. Bangkok, White Lotus.
- Bourdier, F. (2008) Indigenous Populations in a Cultural Perspective: the Paradox of Development in Southeast Asia, *Anthropos* 103: 1-12.
- Bourdier, F. (2006) *The Mountain of Precious Stones, Ratanakiri, Cambodia. Essay in Social Anthropology*. Phnom Penh, Center for Khmer Studies.
- Bourdier, F. (1998) Health, Women and Environment in a Marginal Region in North-Eastern Cambodia, *Geojournal*, Kluwer publications 44(2) : 141-150.
- Bourdier, F. (1997) Les Populations de Ratanakiri, *Bulletin des Séances de l'Académie Royale des Sciences d'Outre-Mer de Bruxelles* 43(4): 471-493.
- Bourotte, B. (1955) Essai d'ethno-histoire des populations montagnardes du sud-indochinois, *Bulletin de la Société d'Etudes Indochinoises* 30(1) : 1-116.
- Brown, G. and Oeung Naung Sam, (2011) *An assessment of the Information and Media needs of Indigenous Peoples in Cambodia*, Phnom Penh, Building Community Voices.
- Brown, G. et al. (2005) *Legal issues related to Registration of Lands of Indigenous Communities in Cambodia*, Phnom Penh, Deutsche Gesellschaft für Technische Zusammenarbeit.
- Brown, G. et al. (2006) *Forest Stewardship in Ratanakiri: Linking Communities and Government*, Ban Lung (Ratanakiri), Community Forestry International.
- Colm, S. (2009a) The Khmer Rouge's Legacy for Highland Culture and Religion in North eastern Cambodia, in Bourdier, F. (Ed.)

- Development and Dominion: Indigenous People of Cambodia, Laos and Vietnam*. Bangkok, White Lotus.
- Colm, S. (2009b) *Khmer Rouge purges in the Mondul Kiri highlands*, Phnom Penh, Documentation Center of Cambodia, documentation series n°14.
- Colm, S. (1996a) *The Highlands minority and the Khmer Rouge in Northeastern Cambodia 1968-1979*, Phnom Penh, Documentation center.
- Colm, S. (1996b) *Effects of the Oil Palms Plantation Development on Indigenous Communities, Ratanakiri Province, Cambodia*, Banlung (Ratanakiri), Natural Resource Management Project
- Cooperation Committee for Cambodia (2009), *The expansion of mining activities and indigenous peoples' rights in Mondulkiri province*, Paper presented at the conference on the impact of mining on local communities, Ventiane, 13 November.
- Cupet, P. (1900) *Voyages au Laos et chez les sauvages du Sud-est de l'Indochine, Mission Pavie Indochine, 1879-1895*. Volume 3, Paris, Henri Leroux.
- Diffloth, G. (2013) *Kuay in Cambodia, a vocabulary with historical comments*, Phnom Penh, Tuk Tuk Editions.
- Diffloth, G. (1993) *The Indigenous Minorities in Cambodia and the election*, Phnom Penh, UNTAC report.
- Diokno, M. (2008) *The importance of Community: issues and perception of land ownership and future options in 5 communes in Mondulkiri*, Cambodia, Phnom Penh, NTFP and NGO Forum
- Dournes, J. (1977) *Pötao, une théorie du pouvoir chez les Indochinois Jörai*, Paris, Flammarion.
- Dournes, J. (1969) *Bois-Bamboo, aspect végétal de l'univers Jorai*, Paris, CNRS.
- Dupaigne, B. (1987) *Les maîtres du feu et du fer. Etude de la métallurgie du fer chez les kouy du nord du Cambodge, dans le contexte historique et ethnographique de l'ensemble khmer*, thèse de Paris X
- Ehrentraut, S. (2013) *Challenging Khmer Citizenship : Minorities, the State, and the International Community in Cambodia*, PhD University of Postdam, Germany.
- Ehrentraut, S. (2011) Decentralization and the Promise of Indigenous Peoples' Empowerment: the Case of the World Bank in Cambodia, *The Pacific Review*, 24(1): 89-113.
- Fillipi, J.-M. (2008) *Recherches préliminaires sur les langues des minorités du Cambodge*, Phnom Penh, IDSSC & UNESCO.
- Fox, J. et al. (2008) *Land for my Grandchildren: Land Use and Tenure Change in Ratanakiri: 1989-2007*, Phnom Penh, Community Forestry Intenational, East West Center.
- Fox, J. (2002) Understanding a dynamic landscape: land use, land cover, and resource tenure in Northern Cambodia in Walsh, S. & Crew-Meyer (ed.) *Linking People, Place, and Policy: a GIScience Approach*, Boston, Kluwer Academic Publishers.
- Fox, J. (1998) *Mapping a changing landscape: Land use, land cover and resource tenure in Northeastern Cambodia. Program on Environment: Honolulu, East-West Center.*

- Gregerson, M.J. (2009) Learning to read in Ratanakiri: a case study from northeastern Cambodia, *International Journal of Bilingual Education and Bilingualism* 12(4): 429-447.
- Garnier, F. (1996) *Travels in Cambodia and Part of Laos*, Bangkok, White Lotus [1885].
- Global Witness (2013) *Rubber Barons: How Vietnamese Companies and Financial Financers are Driving a Land Crisis in Laos and Cambodia*, London.
- Guérin, M. & Padwe, J. (2011) Pénétration coloniale et résistance chez les Jarai. Revisiter le rôle des colonisés dans la mise en place des frontières en Indochine, *Outre-Mers revue d'histoire* 99 (370-371) : 245-272.
- Guérin, M. (2009), State Policy toward the Highlanders of Ratanakiri during the French Protectorate, in Bourdier, F. (Ed.) *Development and Dominion: Indigenous People of Cambodia, Laos and Vietnam*. Bangkok, White Lotus: 115-140.
- Guérin, M. (2008) *Paysans de la forêt à l'époque coloniale, La pacification des aborigènes des hautes terres du Cambodge (1863-1940)*, Paris, EFEO (bibliothèque d'histoire rurale).
- Ham, O. (2011) *Access to Modern Education of Indigenous Peoples in Cambodia, Thesis for Master of Arts Sociology-Anthropology*, Phnom Penh, Royal University of Phnom Penh.
- Hammer, P. (2008) *Living in the Margins: Minorities and Borderlines in Cambodia and Southeast Asia*, Phnom Penh, CKS publications.
- Hans, C.P. et al. (2013) High-resolution global maps of 21st-century forest cover change, *Science* 342: 850–853.
- Hirsch, P. & Wyatt, A. (2004) Negotiating local livelihoods: scales of conflict in the Se San River Basin, *Asia Pacific Viewpoint* 45(1): 51-68.
- Indigenous People NGO Network (2010), *The Rights of the Indigenous Peoples in Cambodia*, Phnom Penh (coordinated by NGO Forum).
- Ironside, J. (2012), *Thinking outside the Fence: Exploring Culture/Land Relationships: A Case Study of Ratanakiri Province, Cambodia*, PhD dissertation in Philosophy, University of Otago Dunedin (New Zealand).
- Ironside, J. (2009) Poverty Reduction or Poverty Creation, in Bourdier, F. (ed.) *Development and Dominion: Indigenous People of Cambodia, Laos and Vietnam*. Bangkok, White Lotus: 79-114.
- Ironside, J., Nhem, S. (1998) *Right to Invent their Own Future*, Phnom Penh, CAREERE/IDRC project in Ratanakiri.
- Isara, C. (2009) Chung (Saoch) in Thailand and Cambodia: phonological and lexical comparisons, *Journal of Mon-Khmer studies*, 38: 69-85.
- Jonsson, H (1997) Cultural Priorities and Projects: Health and Social Dynamics in Northeastern Cambodia in McCaskill, D. & Kampe, K. (eds.), *Development or domestication? Indigenous peoples of Southeast Asia*, Bangkok, Silkworm books.
- Keating, N.B. (2013) Kuy alterities : the struggle to conceptualize and claim Indigenous land rights in neoliberal Cambodia, *Asia Pacific Viewpoint*, 54(3): 309-322.
- Leclère, A. (1894) *Recherches sur le droit public des Cambodgiens*, Paris, Challamel.
- Maffii, M. (2009) *Standing the Storm: Indigenous*

- Women and the Assault of Modernity, in Bourdier, F. (ed.) *Development and Dominion: Indigenous People of Cambodia, Laos and Vietnam*. Bangkok, White Lotus: 411-440.
- Maître, H. (1911) *Les Jungles Moï*. Paris, Larose.
- Martin M.-A. (1997) *les Khmers Daeum, Khmers de l'origine*, Paris, EFEO.
- Martin, M.-A. (1974) Les Pear, agriculteurs-cueilleurs du Massif des Cardamomes, *Etudes rurales*, 53 -56 : 439-447.
- Matras-Troubetzkoy, J. (1983) *Un village en forêt. L'essartage chez les Brou du Cambodge*. Paris, SELAF.
- Maurice, A.M. (1993) *Les Mnong des hauts-plateaux, volume 1 : vie matérielle, volume 2 : vie sociale et coutumière*. Paris, l'Harmattan.
- Milne, S. (2013) Under the leopard's skin: Land commodification and the dilemmas of dilemmas of Indigenous communal title in upland Cambodia, *Asia pacific Viewpoint*, 54(3): 323-339.
- Milne, S. (2009) *The political ecology of payments for biodiversity conservation services in Cambodia*, PhD dissertation in philosophy, University of Cambridge (United Kingdom).
- Cambodia National Institute of Statistics (2008) *General Population Census of Cambodia 2008: Provisional population totals*, Phnom Penh.
- Neis, P. (1883), Exploration chez les sauvages de l'Indochine à l'Est du Mékong, *Bulletin de la société de géographie*: 132-156.
- NGO Forum (2013) *Draft scoping study on access to and control of land by Indigenous Peoples in Cambodia*, Phnom Penh, NGO Forum (to be released).
- NGO Forum (2004) *Land Alienation from Indigenous Minority Communities in Ratanakiri*, Phnom Penh, NGO Forum publication.
- Ovesen, I. & Trankell, I.-B. (2004) Foreigners and Honorary Khmers: Ethnic Minorities in Cambodia in C.R. Ducan (ed.) *Civilizing the Margins: Southeast Asian Government Policies for the Development of Minorities*, Ithaca, Cornell University Press.
- Padwe, J. (2013) Highlands of history: Indigenous identity and its antecedents in Cambodia, *Asia Pacific Viewpoint*, 54(3): 282-295.
- Padwe, J. (2011) Weird undertakings: Cashews, cash and capitalism in northeast Cambodia in Hughes C. and Kheang Un (eds.) *Cambodia's Economic Transformation*, Copenhagen. Nordic Institute of Asian Studies Press: 123- 153.
- Phath, S. & Sovathana S. (2010) *Country Technical Notes on Indigenous Peoples' issues in Cambodia*, Phnom Penh, IFAD/AIPP.
- Peap, A. (2014) Government urged to get serious about illegal logging, *Cambodian Daily*, October 23: 16.
- Pheap, S. et al. (2014) Cambodia in Mikkelsen C., *Indigenous World 2014*, IWGA Yearbook, Copenhagen: 290-298.
- Pheap, S. & Ngach, S. (2012) *Case Study on Development and Access to Justice and the Human Right of Kui Indigenous Women in Pramer commune, Preah Vihear district, Cambodia*, Phnom Penh, CIYA, October.
- Savajol, N., Chan, L. & Yep L. (2012) *Participatory needs assessment on wild foods diversity towards food security and climate*

- change adaptation in Ratanakiri province*, Phnom Penh, Nomad/Cambodia NTFP working group.
- Scott, J.C. (2009) *The art of not being governed: an Anarchist History of Upland Southeast Asia*. New Haven, Yale University Press.
- Sieng, T. (2012) *Les modifications des pratiques agricoles chez les Tampuan du Ratanakiri (Cambodge) : quels sont les effets du développement dans une région montagnarde ?* Paris, école doctorale, INALCO.
- Swift, P. (2013) Changing ethnic identity among the Kuy in Cambodia: Assimilation, reassertion and the making of Indigenous identity, *Asia Pacific Viewpoint*, 54(3): 296-308.
- Taupin, J. (1888) Huit jours au pays des Braous *Bulletin de la Société des études Indochinoises* 1 (2) : 47-64.
- Thibault, C. (2009) As Free as Possible: the Tampuan Minority, Khmer Rouge Pressure and Border Humanitarian Assistance in Bourdier, F. (2009) *Development and Dominion: Indigenous Peoples of Cambodia, Vietnam and Laos*. Bangkok, White Lotus: 163-186.
- Uk, K. (2011) *Living amidst Remnants of War. Livelihood Survival Strategies of a Jorai Village in Northeast Cambodia*, PhD. dissertation, Department of Anthropology, Darwin College, University of Cambridge.
- UNDP(2010) *Phnong Ethnicity: Documentation of Customary Rules, Indigenous People in Puchar Village, Keo Seima District*, Phnom Penh, UNDP/Ministry of Interior.
- Unknown (2004) *Socio-economic development master plan for Cambodia, Laos, Vietnam development triangle*, Government of Hanoi.
- Vogel, S. (2008), *Poèmes et chants des Phnongs de Mondulkiri*, Phnom Penh, Funan, 2008, 67 p.
- White, J. (2009) The Indigenous Highlanders of the Northeast: An Uncertain future, in Hean, S. (ed.) *Ethnic Groups in Cambodia*, Phnom Penh, Center for Advanced Study.
- Wusthoff, G. (1871) Voyages lointains aux royaumes du Cambodge et Laouwen et ce qui s'y est passé jusqu'en 1644 (annoté par F. Garnier) *Bulletin de la Société géographique*, 2(6) : 249-304.
- Zhou Daguean (2010) *The Customs of Cambodia*, Phnom Penh, Indochina Books (2nd ed., translated by J.G. d'Arcy Paul.)

INDIGENOUS PEOPLES HUMAN RIGHTS DEFENDERS NETWORK

The Indigenous Peoples Human Rights Defenders Network (IPHRD Net) is a platform for solidarity, coordination and support among indigenous human rights defenders and their organizations. Through the IPHRD Net, indigenous peoples human rights defenders can more effectively address human rights issues and violations wherever these occur by working with other indigenous peoples organisations, other human right organisations, and with regional and international human rights mechanisms and bodies.

THE FUNCTIONS OF THE IPHRDS NET ARE AS FOLLOWS:

1. Mechanism for exchange of information and updates relating to human rights of indigenous peoples
2. Facilitation of technical, logistics and other forms of support
3. Forum for planning, capacity building and skills enhancement of network members
4. Mechanism for strengthening solidarity and cooperation.

ACTIVITIES

1. Documentation of human rights violations against indigenous peoples for use in lobby and advocacy at all levels
2. Manage the database of human rights violations against indigenous peoples in Asia
3. Capacity-building on human rights documentation and advocacy
4. Awareness-raising on human rights, in particular the UN Declaration on the Rights of Indigenous Peoples
5. Advocacy on indigenous peoples issues at all levels
6. Networking with other civil society organisations to gather support on the issues and concerns of indigenous peoples
7. Facilitate direct support to indigenous peoples human rights defenders at risk.

www.iphrdefenders.net

Have you witnessed a human rights violation against indigenous peoples?

Report to: www.iphrdefenders.net/index.php/iphrd-human-rights-violation-form

Are you an IPHRD at risk needing assistance?

Contact us at: www.iphrdefenders.net/index.php/request-for-assistance-form



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AIPP at a glance

The Asia Indigenous Peoples Pact (AIPP) is a regional organization founded in 1988 by indigenous peoples' movements as a platform for solidarity and cooperation. AIPP is actively promoting and defending indigenous peoples' rights and human rights, sustainable development and management of resources and environment protection. Through the years, AIPP has developed its expertise on grassroots capacity building, advocacy and networking from local to global levels and strengthening partnerships with indigenous organizations, support NGOs, UN agencies and other institutions. At present, AIPP has 47 members from 14 countries in Asia with 7 indigenous peoples' national alliances/ networks and 35 local and sub-national organizations including 16 are ethnic-based organizations, five (5) indigenous women and four (4) are indigenous youth organizations. It also specifically aims to empower indigenous women through networking, education and capacity building activities with the overall goal for indigenous women to assert, promote and protect their rights as women and as indigenous peoples.

Our Vision

Indigenous peoples in Asia are fully exercising their rights, distinct cultures and identities, are living with dignity, and enhancing their sustainable management systems on lands, territories and resources for their own future and development in an environment of peace, justice and equality.

Our Mission

AIPP strengthens the solidarity, cooperation and capacities of indigenous peoples in Asia to promote and protect their rights, cultures and identities, and their sustainable resource management systems for their development and self-determination.

AIPP Programmes

Our main areas of work among the different programmes are information dissemination, awareness raising, capacity building, advocacy and networking from local to global. Our programmes are:

- Human Rights Campaign and Policy Advocacy
- Regional Capacity Building
- Environment
- Indigenous Women
- Communication Development

AIPP is accredited as an NGO in special consultative status with the UN Economic and Social Council (ECOSOC) and as observer organization with the United Nations Framework Convention on Climate Change (UNFCCC), Convention on Biological Diversity (CBD), Green Climate Fund (GCF), Global Environment Facility (GEF) and the World Intellectual Property Organization (WIPO). AIPP is a member of the International Land Coalition (ILC).

Asia Indigenous Peoples Pact (AIPP)

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