In cases where resettlement is deemed to be the best or only option for people following investigation and consultation with communities:

**Resettlement areas should have better human security than the area people are moving from.** This should include a land title, a house, schools and health centers, roads and infrastructure, suitable land for agriculture, security and lighting at night for safety, and all public services including clean water, electricity, and cellular services.

**Support for resettlement communities needs to be broad-based and long-term.** This includes compensation that is adequate for supporting a good livelihood, and also financial and social support until people are able to find suitable work, including agricultural extension and market training opportunities in the resettlement area. Support should be given long term both by the government at local and national level, and also by NGOs, with all sectors working in coordination.

**Compensation needs to be adequate, given prior to resettlement, and transparent.** Sometimes the people who most need help are excluded because the benefits are given to those with networks and money. The money should be given to individuals and not officials. There should be a plan for a public bus route or other reasonable transportation options so that these people do not have to lose their jobs because of the relocation.

**Local authorities have a key role in working closely with communities** to maintain open communication and support, and assisting resettled people by helping with documentation and resources for accessing jobs, schooling, services, and support networks. Local authorities should receive thorough, ongoing training, and the information and financial resources necessary to understand and carry out their roles.

**Recommendations for the Cambodian government: moving toward Human Security-Centered Land Policy for rural areas**

The key role of smallholder agriculture can be enhanced by policies for improved livelihood security; the government should provide ongoing training and extension services to people, especially in agriculture and health, and assist in finding markets and adequate prices for smallholder produce. Access to free health and quality education would reduce distress land sales.

**Land titles should be given to all land owners, focusing on smallholders**, with thorough consultation, correct procedure and in a timely manner.

**Investigate clearly the land boundaries of people affected** by land disputes and work with communities to prepare a land use plan detailing clearly what each area of land is used for.

**Local authorities have a key role in mediating rural disputes.** Government should ensure that local authorities have adequate information about ELCs and investments to communicate with community members, and have the training and resources necessary to carry out their role. For large disputes, local authorities and people affected can work together to write a document explaining the problems, and give this to relevant government departments and NGOs.

**Communities with strong networks and knowledge of resource issues and rights are better able to hold authorities and companies accountable, and can work together with authorities to manage resources.** Authorities can protect people’s rights to information by holding regular community meetings and encouraging the formation of community networks.

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**Human Security & Land Rights in Cambodia**
**Executive Summary**

With continuing human rights concerns over land grabbing, and in the wake of the Cambodian government’s recent land policy issuing thousands of land titles to people in land conflict areas, study is needed to understand how people construct and experience security and insecurity over land. Further, action is needed to bridge the gap between people’s experience, and policy and investment practice in land. This ‘Human Security and Land Rights’ project used a human security framework as a holistic tool to address two overarching questions. 1) What kind of insecurities do people in areas with land disputes have, and who is most insecure? 2) What provides people with security, and how does land policy relate to other sources of security over land?

Our study involved more than 400 participants in Kampong Chhnang, Ratanakiri, and Phnom Penh, with surveys, interviews, community trainings and multi-sector dialogues. We focused on communes with Economic Land Concessions (ELCs) and urban resettlement zones, including those that had lost land and those with more positive experiences. Our public dialogues brought together government officials, NGOs and people affected by land disputes to discuss possible solutions, and to understand more clearly the limitations that people in other roles face.

**Our study shows that insecurity over land is also about wider issues of poverty, environment and livelihood insecurity.** Land insecurity affected people’s livelihoods and increased physical and psychological insecurity. We also found that poor families, less educated people, and female widows were more likely to be land insecure. The largest cause of insecurity was poverty, followed by land grabbing, corruption, lack of food, lack of land for the next generation, and inadequate access to healthcare. Forced and distress-based land sales were also a central cause of land insecurity.

Women are often more at risk of land insecurity, although cultural norms of land ownership and management benefit both men and women. Land insecurity including land grabbing by spouse’s family is an ongoing issue in divorced women’s lives. ‘Second wives’ are often the most insecure. Cultural norms toward land ownership and land management decisions in Cambodia generally involve both spouses, and property inheritance norms favor all children equally.

**Sources of security are numerous and depend on context.** The main sources of security were: Having a land title, schooling opportunities, affordable healthcare, strong community networks and supportive local authorities, non-governmental organizations that provide long-term support; and different forms of land management (including communal management). Land, food, and livelihood security were linked, even those with no land disputes said they lacked security as they did not receive adequate agricultural extension support or fair prices for their products.
Land title was an important source of security for many people in the study, but it did not provide full security. Most people with title were still worried their land would be taken as they said they did not place trust in the judiciary nor in long-term government policy. Sometimes title increased insecurity if those with more power were able to grab more land during titling, or land values rose and predatory land purchases increased. People whose land was left untitled during the nationwide land titling campaign, or those who were waiting for titles (one third of those whose land was surveyed had waited more than a year for title) said they were pressured into selling their land for low prices. In some areas, people were very satisfied with the land titling process and reported very little corruption; factors contributing to security during the land titling process included: land claimants and authorities having a high level of knowledge about land rights and titling processes; people kept well informed during the process by authorities and strong community networks; and community representatives accompanying survey teams and authorities during land surveying.

Communal Land Title is important for indigenous groups but the process is very slow, and one community in our study with CLT was still losing land. Factors contributing to security over communal land included: Strong community solidarity and relationships between elders and youth; good, cooperative leadership from authorities and traditional elders; authorities accountable to villagers; Strong long-term support from NGOs; A focus on both legal empowerment (to gain title) and community empowerment.

Knowledge and use of dispute resolution mechanisms is limited. Survey respondents most often sought help from local authorities when they had a land dispute or were fearful that someone would take their land; most people were not aware of other mechanisms for resolution. Despite this key role in dispute resolution, many commune officials were not clear about what their role should be in solving land disputes or making property role should be in solving land disputes or making property
title to the judiciary nor in long-term government policy. Sometimes title increased insecurity if those with more power were able to grab more land during titling, or land values rose and predatory land purchases increased. People whose land was left untitled during the nationwide land titling campaign, or those who were waiting for titles (one third of those whose land was surveyed had waited more than a year for title) said they were pressured into selling their land for low prices. In some areas, people were very satisfied with the land titling process and reported very little corruption; factors contributing to security during the land titling process included: land claimants and authorities having a high level of knowledge about land rights and titling processes; people kept well informed during the process by authorities and strong community networks; and community representatives accompanying survey teams and authorities during land surveying.

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Resettled communities face specific human security challenges. Only half of the Phnom Penh resettled participants had received some kind of compensation after being displaced and only 22% of those compensated were happy with the compensation given. People said the compensation was insufficient to purchase a house or land elsewhere in the city, so they moved to the outskirts where they could not access work opportunities or public services, or rented with uncertain lease arrangements.

Economic land concessions provide limited opportunities for local people. The survey also looked at relationships between Economic Land Concessions (ELC) and communities, as one of the aims of ELCS is to provide local employment options for rural people. Some people said ELC jobs meant they did not have to migrate to other areas for work; however, most survey participants said they did not work at ELCs, even if there were some nearby. They said that the companies did not want to work at the ELC as the work conditions were difficult and perceived as unfair.

Toward a human security centered land sector

Recommendations from roundtable discussions in three provinces

These recommendations come directly from our research with over 400 people, and from roundtable discussions held in Kampong Chhnang, Ratanakiri, and Phnom Penh, involving government officials (at local, provincial and national levels), NGOs, people affected by land issues, scholars and international donors and ambassadors.

Overall Recommendations

- Cambodia’s rapid economic growth encouraged by the government, international donors and private investors is associated with commercial pressures on land and natural resource extraction, in a context where there are few safety nets for marginalized people and economic inequality is steadily rising. To eliminate land issues in Cambodia, approaches to land use and ownership should focus more on people’s livelihoods and less on investment and politics.

- Based on interviews, marginalized people and groups may find conflict to be a viable option because there are no peaceful alternatives for resolving grievances. The perceived injustices and violation of fundamental rights of Cambodian citizens must be addressed. Violent conflict with more powerful players will not be in the citizens’ benefit generally; they must find ways to unite together and with larger players, if possible, such as community groups or international organizations or local NGO’s that represent land rights.

- Our findings match those in other developing countries and reveal that “reforms” often in the form of new laws, land titles, and other juridical mechanisms regularly serve to further marginalize already land insecure people by privileging those with material assets and political connections. Understanding this trend is the most important part of reversing it and the social mistrust it engenders. Law makers and citizens alike must strive for practices of social cohesion, inclusion, and care that respect both the spirit and the letter of land laws.

- To solve land disputes, the government must not only strengthen its effectiveness, its governance activities and the rule of law, but also must share the same vision as its citizens. Toward this vision, the government must be accountable, allow its citizens to have a voice in its creation, and engage with the community in decision making processes. The people must feel trust that the judiciary is impartial and unbiased. People’ rights to fair compensation to land victims and transparency land acquisition must be upheld.

- After spending time listening, interviewing, and conducting roundtable discussions, there is definitive lack of social cohesion and mistrust among all stakeholders - mainly between the authority and the land victims- when it comes to solving land conflicts in Cambodia. Furthermore if the government intends to push through reforms, these reforms should be designed to improve the living standards of the people through land ownership. It should not be aimed at harming the marginalized people as found in this study by creating a system that will only benefit the privileged ones. In many of our interviews, we found that the situation consistently tipped in favor of those who had money, political connections, or key positions in the local government or police/armed forces. This usually meant that family members with better connections or more assets also had an unfair advantage in either pressuring away or simply winning legal cases involving land disputes. Currently there seems to be a tangled web around land policy and ownership, which too often leads the most insecure left out.

- Land documentation will only provide full tenure security if the judiciary is perceived to be accessible and fair. Laws should be respected and revised to ensure they are in the interests of people with no contradictions between legal directives.

- These recommendations require a moral basis to the actions of everyone involved; shifting from a short-term, individual outlook, to a long-term view for what is best for Cambodia’s communities and environment.

Recommendations for the Cambodian government: Moving toward Human Security-Centered Land Policy for Urban Resettlement

Before a new development project is undertaken, a thorough, public investigation needs to determine how the human security of community members will be affected. This should be in consultation with communities. Social and environmental impacts for the development area and surrounding communities should be thoroughly assessed by an independent body. If there are more negative than positive impacts, the development should not be undertaken.

Urban zoning needs to be clear and publicly available, with zones for housing, agriculture, industry and public lands and long-term planning for population growth.