

## **The Case study**

### **Grassroots movement for Land and Forestry Rights in Preah Vihear Province**

**The result of Community Network in Action (CNA) efforts on advocacy, organizing and mobilization communities in Preah Vihear province.**



In 2015, CNA core members and Community leaders, both IP and Non IP complained to Preah Vihear provincial authorities for land conflict solution with ELC

The Community Network in Action (CNA) has organized and mobilized since early 2000, which was previously called Community Forestry Network of Preah Vihear province who were successful in fighting against Forest Concessions that destroyed their resin trees violating agreement contract of forest concession they made with the government, and until 2009 they had increased their voluntarily intervention to land and natural resource management. Therefore, they called themselves Community Network in Action (CNA). This group of community activists composed of 7 as core members from five districts in 2010. Because of the Royal government invested Economic Land Concession in Preah Vihear, there were increased of land conflict between the community and private sectors. CNA core members were gradually increased from 7 members to 15 members and 21 members (08 women) in 2015 with selected from among community leaders from land grabbed communities and they are from 7 districts of Preah Vihear province, one man and one woman from Choam Ksan district, two men and one woman from Tbeng Meanchey district, three men from Chhaeb district, one man and two women from Chey Sen district, four men and two women from Kulaen district, one man from SangKom Thmey district, two men and two women from Rovieng district. They played a vital role in facilitation and leading their communities against land dispute, illegal logging, promoting rights, and promoting freedom of expression to strengthen collective voice to protect and claim their land rights and accountable governance of land and natural resources for sustainable and equitable uses.

#### **Building the capacity to CNA core members:**

CNA core members are selected are playing a vital role in mobilizing and organization of land grabbed communities, they got trainings and coaching facilitation skills and relevant laws such as: land law, forestry

law, mining law, facilitation skill, human rights, non-violence action, community organization and mobilization, grass root advocacy strategy, media advocacy approach, participatory rural assessment, sub-decree of economic land concession, good governance and etc... At that time, There are many ELC companies in Preah Vihear province, Lan Feng located in Tbeng Mean Chey and Chey Sen districts, Ruy Feng, Heng Ruy and Heng You



CNA discussed on land conflict with community members who affected with ELCs in July 2015

located in Chhaeb district, Heng Nong and Heng Ruy located in Chey Sen district, PNT and THY NGA located in Rovieng district, AM PHAL FOCUS located in Sangkom Thmey district, SEILA DAMEX, FP Malaysia, EMINENT and BLUE HEAVEN located in Kulaen district, Green Development located in Choam Ksan district and most of the Companies came to take people land without consultation and EIA study. In In such situation, CNA core members came together and started organizing and mobilizing by working with existing community leadership structure, educating land communities who affected by the economic land concessions. They conducted a numbers of meetings with community members, consulting and preparing

the strategic action to intervene the land conflict.

They always contacted and followed up to the members in order to update the situation of the violation and illegal logging and the members reported to core members when they faced the challenges with ELC and others. The CNA core members intervened and investigated to hot issues with land dispute, human rights violation and illegal logging at the local community for example In 2011, the CNA core members intervened Srayong community that was grabbed by Seila Damex Company, so they started social movement to protest against Seila Damex Company to stop clearing their lands. During protesting with Seila Damex Company the authorities put the pressure to the communities in case of protesting for land conflict solution. CNA core members and Community representatives organized and mobilized a lot of people to stop the company of clearing their lands, but the company still continued clearing. On 29, October 2011 five community representatives prepared intervention letters to Prime Minister HUN SEN to resolve their land disputes which affected 191 families with total population 223 people (119 women), the community lands' size are 762.925 hectares and Community Forestry lands' size are 4000 hectares. On 22, September 2012 the volunteer students of Prime Minister and Kulaen Cadastral officers went to field to measure the land for the community to get individual land titles. On 04, January 2013 Kulaen Cadastral officers provided individual land title certificates to communities and in 2015, 160 families received 1910 land titles of about 1280 hectares of land from the authority.

CNA disseminated the importance of NTFPs, IP traditional use, Forestry Law, Land Law and relevant laws to the communities around Prey Preah Raka. Prey Preah Raka networks started understanding on human rights access to land and natural resource management, and weakness of accountable governance of land and natural

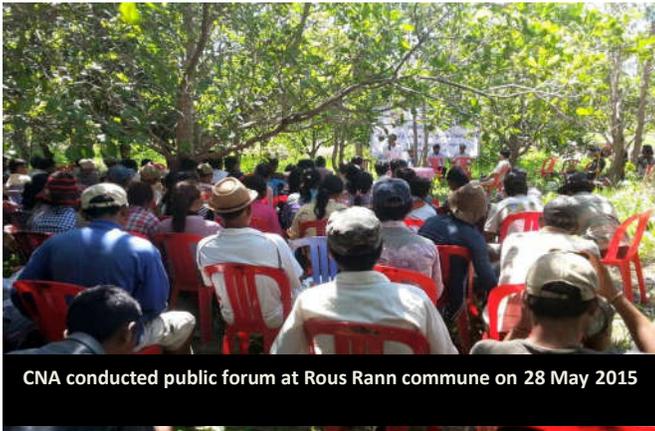


CNA core member joined forest campaign in Preay Preah Roka, October 2015

resource management caused the illegal logging increased. The CNA core members and Prey Preah Roka networks prepared and submit the petition to National and Sub-national to cancel Forestry Concession. The royal government has accepted their petition and canceled the forestry concession investment from Prey Preah Raka. However, the forestry concession has canceled, but the deforestation and illegal logging are still be the main issues because the people from other provinces and some people inside communities always deforest for dealers and their own uses. CNA and Prey Preah Raka networks always do a forest campaign and confiscated many chainsaws and many cubic meters of luxury woods from

the illegal loggers. Beside the mobilization and the protestation to prevent Prey Preah Raka forest, CNA core members, Prey Preah Raka networks, IP and non IP communities also mobilize to protest against to ELCs, Lan Feng and Ruy Feng companies to stop clearing their lands. At the end of 2014, Prame IP communities always patrol their land and confiscated 2 bulldozers and keep at the commune office. The communities which affected with ELCs negotiated and sued to the national and sub-national authorities to stop clearing and wait for resolution. In the present, Lan Feng and Ruy Feng still keep clearing IP community lands; even though Prame IP community submitted the communal land title registration to Preah Vihear Department of LMUPC ready, but Preah Vihear provincial authorities do not warrant protection blocked temporarily for Prame IP communities yet. CNA core members based in Chey Sen district organized the communities to be in solidarity and mobilized the communities to protest against to Heng Nong and Heng Ruy companies. The authorities always the pressure to community in case of protestation land conflict and do not promote freedom of expression.

PNT and THY NGA companies started to clear the community lands in 2014 and 2015 and the companies did not discuss on EIAs with the communities. Those affected people contacted to Community Network in Action



CNA conducted public forum at Rous Rann commune on 28 May 2015

(CNA) who supported by Ponlok Khmer, to ask for advices on how claiming their land back that taken over by the economic land concession. CNA core members invited the key selected persons from affected communes to join a number of quarterly meeting workshop on basic of human rights - the rights to land and natural resource uses, accountable governance of land and natural resource management, legal procedure of economic land concession, community network and effective advocacy strategy, conflict mediation and solution, legal aid, effective community organization and mobilization. After each workshop/training, the key persons conducted a number of village meetings, community forum and

community mobilizations in the affected Communes to strengthen collective voices and actions to protect and claim their land rights and strengthen accountable governance of land and natural resources management for sustainable and equitable uses. They have created sketch map of the affected lands in three communes with the company and they conducted a public forum on good governance and natural resource. In case of land disputes the provincial court summoned four community representatives to give comment but the lawyer asked to the court to delay.

During August 2015 the Ample Focus Company was clearing the community lands and the communities mobilized to protest against Company to stop clearing their lands and the community confiscated one bulldozer to keep in the pagoda. Ample Focus company representative, SangKom Thmey district authorities and provincial authorities went to negotiate with the communities to bring the bulldozer back but they did not agree. So the Company representative made a promise to stop clearing and waiting for the resolution from provincial authority. In case of land disputes protestation the provincial court summoned eight community members to give comment. CNA went to facilitate and shared some experiences with the communities on non-violence action and advocacy strategy.

On June 03, 2015 CNA organized and mobilized all the communities in Preah Vihear province to do non-violence demonstration to submit the petition to the provincial authority to accelerate the resolution for them. Even the police officers and police military officers banned the communities and blockaded the roads but the communities tried to overcome to reach Preah Vihear provincial hall and in front of Prosecutor's house to asked deputy prosecutor of Preah Vihear court to step



CNA mobilized Affected communities joined protest for land conflict solution at Provincial level ,June 03 2015

down and as the results, the prosecutor was replaced his position to another province and Preah Vihear provincial authority accepted the petition.

During CNA annual reflection conducted on November 19-20, 2015, Mr. Pech Porn presented the background of CNA and efforts. He mentioned that *“Nowadays numbers of CNA increased but some women members are inactive and some new CNA members are lack of the experiences working with communities”* He also reminded *“CNA core members shall respect the rule and obligations by increasing voluntarily works to support communities”*. He continued that *“We shall challenge with illegal action on land and illegal loggings as today there are much illegal logging that destroys our lives especially, the illegal logging in Prey Preah Raka has increased.”* He notice that recently, *there were two killing cases caused by conflict interests but for the communities when we stop illegal logging we never faced such problems because we never take money from illegal loggers.”* He stressed that *we never committed corruption like the government officers so illegal loggers are afraid of us rather than the government officers.”*



#### **Some challenges with CNA core members and CBO leaders:**

Based on their experiences working and struggling with communities for many years ago CNA can mobilize both IP and non IP communities to strengthen collective voice to negotiate with authorities for land conflict resolution. CNA has shared experiences of advocacy and disseminated relevant laws to communities. All the communities in Preah Vihear province were strengthened and motivated to be in solidarity to demand their rights and protect their natural resources. Meanwhile, CNA core members and CBO leaders challenged with authorities, Company and illegal loggers when they conducting village meeting to mobilize and gathering the villagers at local community and they are threatened, blamed and, questioned by local authorities. Some of CNA got direct threaten by provincial authority while a few of them was given summon by court with accuse of excitement and destroyed the private property.

#### **Key Recommendations for future action:**

1. CNA should have lawyer when they are accused excitement and destroyed private property from authority, Company and court.
2. CNA should have more training on human rights, laws and advocacy technique
3. CNA should take a chance to meet mutually with core members.
4. CNA should have a package for health care when they encounters the healthy and traffic

**Building the grass root movement, I makes good governance and change**

Authored by

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