

Access to Collective Land Titles for Indigenous Communities in Cambodia

Indigenous communities in Cambodia

There are approximately **400,000** indigenous people in Cambodia, making up **2-3%** of the national population.

They are divided into **458** indigenous communities, representing **24** different indigenous ethnicities with **23** unique languages across **15** provinces. Indigenous communities have resided in the Cambodian region for thousands of years and have deep cultural ties to the land.



Collective Land Titles

Collective Land Title ("CLT") is the **shared ownership** and rights of a community to its land and natural resources.

CLT provides legal protection of indigenous communities' communal lands, shielding them from income and food insecurity and legal and illegal land grabbing. It also contributes to preserving indigenous communities' identity and culture and aids in their right to self-determination.

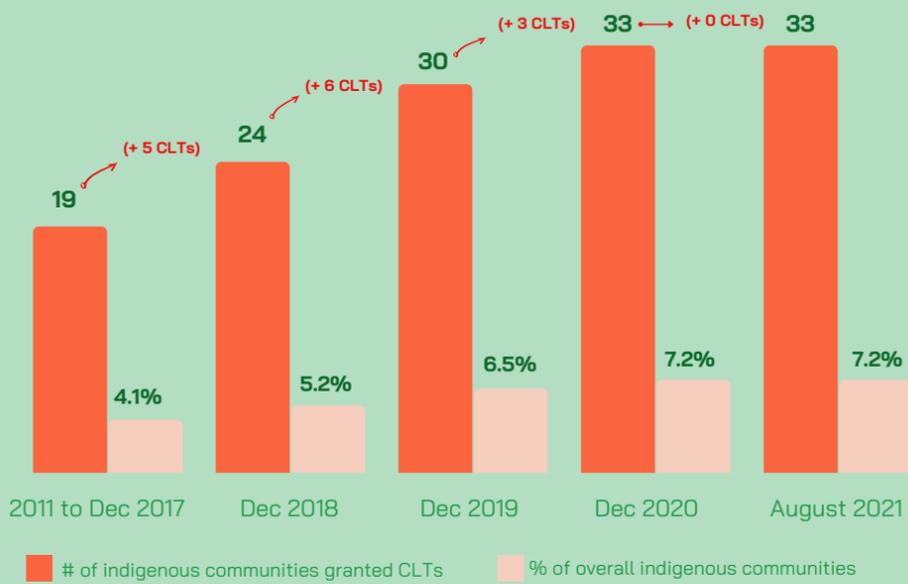
In Cambodia, CLT for indigenous people over their traditional land is recognized under the **2001 Land Law** and regulated under the **2009 Sub-Decree No.83 on Procedures of Registration of Land of Indigenous Communities**.

Despite this, in practice, collective land registration continues to be **limited**.



CLTs granted to indigenous communities

From 2011 to August 2021, **33 CLTs** were granted to **33 indigenous communities** representing only **7.2 %** of the total indigenous communities in Cambodia. The 33 CLTs cover **33,899** hectares of communal lands on which **3,235** indigenous families live.



While there are currently various indigenous communities in the CLT registration process, the Ministry of Land Management, Urban Planning and Construction has not granted any new CLTs to indigenous communities since December 2020, despite the commitment it made in 2017 to accelerate land registration for indigenous people and grant CLTs to **10 indigenous communities per year**.

Barriers to obtaining CLTs in Cambodia



Indigenous communities face various barriers in obtaining CLTs, explaining the low numbers of registered CLTs. The main barriers include:

- Poor implementation of the law meant to protect indigenous communities' right to land
- Complex, lengthy, and expensive CLT registration process
- Lack of resources in indigenous communities to complete registration
- Lack of understanding of the CLT registration process by both communities and authorities
- Lack of knowledge of their land rights among indigenous communities
- Increased Covid-19 infections in the country, causing the government to reduce their activities, including CLT registration
- Lockdowns and border closures due to the Covid-19 pandemic have limited indigenous communities' ability to initiate the CLT registration process.

Recommendations

CCHR encourages the Royal Government of Cambodia to take further steps to accelerate registration and address the barriers faced by indigenous communities who desire to register communal lands.

Sources: 1. CCHR, 'Access to Collective Land Titles for Indigenous Communities in Cambodia', 2016; 2. Outcome Reports of the Ministry of Land Management, Urban Planning and Construction in 2020 and 2021.