

Joint Statement
On
Restriction on Freedom of Movement

Civil Society Organizations (CSO) condemn the representative of SOCFIN-KCD, who has prevented and prohibited the NGOs and people during their study visit to learn about the culture of indigenous people, mountains, forests, waterfall, and wildlife sanctuary which is located in Busra commune, Pichreada district, Mondulkiri province. The representative claims that this area is the company's private property.

On Jan 21, 2010, while a group of about 30 members of CSOs and communities from various provinces was traveling to study natural forest in Namlea mountain protected area in Bousra commune, suddenly, the Socfin-KCD company's car with a representative namely Mr. Pierre was following the NGOs vehicle and stopped the trip showing an intimidated behavior. He also prevented the group from taking pictures of nature forests which he regards as private property of company and no one is allowed to enter the area.

The Socfin-KCD company is a company that has share-investment with French company who was granted 2705 ha of Economic Land Concession in 2008 for a development project of rubber plantation in Bousra commune, Mondulkiri province. After being granted the ELC in this area, the company has blocked the path and banned people from crossing or entering this place. This path was formerly used by the public to access to the recreation sites such as waterfall, historical mountain and the forest protected zone. This path is also accessible to Cambodia-Vietnam border. The indigenous people who are residents of the area are restricted to enter this area to make their living, and to access the spiritual area to pay their respect to the spirit according to their traditions and religion.

According to Article 40 of Constitution, which is the supreme law of Cambodia states " *Freedom to travel, far and near.... shall be respected*"; and article 58 " *State property notably comprises land, mineral resources, mountains, sea, underwater, continental shelf, coastline, airspace, islands, rivers, canals, streams, lakes, forests determined as State property* ".

The Civil Society Organizations consider this person's act as intimidation, threat and seriously violation of human rights, especially, violation of freedom of movement. This act is against the constitution.

The Civil Society Organizations understand the Royal Government of Cambodia has granted the Economic Land Concession to Socfin-KCD. However, this does not mean that public path/road, forests, mountains, waterfall and other tourist sites in Bousra are all granted to Socfin-KCD.

The Civil Society Organizations would appeal to SOCFIN-KCD to terminate the representative from his job; and would appeal to the provincial authority and the Royal Government to kindly intervene and take legal actions against this person and to remove the blockage as well, in order that the people can easily access to the area to make their living and that the natural recreation sites are accessible to tourists. Doing so would also promote human rights in Cambodia.

Mondulkiri, 22 Jan 2010

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The organizations and associations supporting this statement:

- ADHOC
- CLEC,
- NGO Forum,
- CHRAC secretariat

- Vigilance
- BCV (Building Community Voices)
- ICSO
- DPA
- MVI (My village)
- LAC (Legal Aid of Cambodia),
- SST (Sor Sor Troung organization)
- MNN (Mondulkiri Ngo Network)
- Caritas.