

NGO Statement on the Concluding Observation UN Committee on International Convention on Elimination of Racial Discrimination with regards to Indigenous Peoples Issues.

Non Government Organisations working on human and indigenous peoples' rights have reviewed the Concluding Observations of the UN Committee on the International Convention on Elimination of Racial Discrimination.

The key points related indigenous peoples' rights are:

- The government delegation to discuss ICERD IN Geneva in February did not include any representatives from relevant ministries or offices in Cambodia
- The Committee notes with satisfaction the adoption of a land law in 2001 as well as a series of sub-decrees
- the Committee is concerned with reports of political interference and corruption affecting the judicial bodies as well as the functioning of some public services
- Cambodia should continue and increase its efforts to strengthen and guarantee the independence of the judiciary
- Cambodia should take steps to increase its capacity to investigate and take disciplinary action in cases of incompetence and corruption.
- The quest for economic growth and prosperity is pursued, in some cases, to the detriment of particularly vulnerable communities such as indigenous peoples.
- The Committee is particularly concerned about reports of the rapid granting of concessions on land traditionally occupied by indigenous peoples without full consideration, or exhaustion of procedures provided for, under the land law and relevant sub-decrees
- Cambodia should ensure that a proper balance between development and the rights of its citizens is achieved and ensure that its economic development does not come at the expense of the rights of vulnerable persons and groups
- Cambodia should develop appropriate protective measures for indigenous peoples' lands including delaying concessions and seeking the free and informed consent of indigenous communities before granting concessions.
- Corporate businesses should take into consideration their corporate social responsibility as it relates to the rights and well-being of local populations.
- The Committee is concerned by reports of intimidation and acts of violence against indigenous peoples during forced evictions or land disputes affecting them
- Cambodia should provide full protection to vulnerable groups against physical attacks and intimidation as they seek to exercise their rights as they relates to communal lands and bring perpetrators of such violations to justice
- The Committee is concerned with the discrepancy on the access to education, especially in remote areas. It is particularly concerned with education for children in areas such as Mondulkiri and Ratanakiri provinces.
- Cambodia should continue its efforts to achieve its goal of "Education for All", and consider bilingual education programmes, as appropriate, in remote areas

NGO's working with indigenous peoples in Cambodia support the UN Committee's finding. The observations and recommendations are all correct. It should also be added that the situation is urgent and drastic. If nothing is done soon to correct these problems, whole indigenous groups are cultures are likely to be lost.

"We want the government to carefully implement the national and international laws that we have already so we promote the rights of indigenous peoples
Mr Chhith Sam Ath, Executive Director, NGO Forum on Cambodia.

"Indigenous peoples in Cambodia are in crisis. They have spoken to the United Nations. It is good that the United Nations is recognising this"

Mr Man Vuthy, Program Coordinator, Community Legal Education Centre

“Indigenous people rights to their territories are being seriously abused. The situation is serious. All stakeholders cannot ignore what is happening”

Mr Suon Sareth, Executive Secretary, Cambodia Human Rights Action Committee

“The rights of all Cambodians are tied to the rights of indigenous peoples. Indigenous peoples protect the natural resources responsible for the environmental stability of lowland areas in Cambodia. If we allow ongoing abuse of indigenous peoples, it will affect us all.”

Mr Sia Phearum, Secretariat Director, Housing Rights Task Force

“Donors and investors intending to support economic development in Cambodia should examine if their investments support equity, are appropriate to the local circumstances and need, and check if their activities to date are in respect of indigenous peoples’ rights.

Mr Sao Vansey, Executive Director, Indigenous Community Support organisation.

“While the issues outlined in the CERD report are those affecting indigenous peoples, abuse of land rights and forest rights happening around the whole country. Khmer people and other groups are also being affected”

Mr Chhith Sam Ath, Executive Director, NGO Forum on Cambodia.

Issued by NGO Forum on Cambodia, Cambodia Human Rights Action Committee, and Housing Rights Task Force.

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