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Cameroonians Give Bunong People a Glimpse of Hope in their Long-Lasting Lawsuit Against Bolloré in France



Since the allocation of the ELCs, local people can't use the land as they used to. They are no longer able to practice traditional rotational farming and harvesting forest products from their sacred forests. Photo: François Camps

By [François Camps](#), February 20, 2023 7:19 PM

PHNOM PENH – Will Cameroonian indigenous communities seal the fate of some 80 Bunongs from Bousra commune, Mondulakiri province, in one of Cambodia's longest-lasting land conflicts?

In December 2022, the appeal court of Versailles, in France, ruled in favor of Cameroonian communities in a lawsuit with similar characteristics – and protagonists – to that of a land dispute in Mondulakiri that has continued unresolved for more than a decade.

Like the plaintiffs from Bousra, 145 Cameroonians sued the French conglomerate Bolloré in France for allegedly grabbing their ancestral lands for plantation purposes. They hold the company responsible for the destruction and deterioration of their habitat because of the activities of one of its indirect subsidiaries, Socfin, a Luxembourg-based firm specializing in palm oil and rubber plantations, with activities in both Africa and Southeast Asia.

Similarly, 80 Bunongs filed a complaint against Bolloré in 2015. They assume the conglomerate is the real decision-maker behind the activities of Socfin-KCD, which operates two massive rubber plantations in the commune of Bousra, in the easternmost parts of Mondulkiri province. Altogether, the plantations of Sethikula and Varanasi—both belonging to Socfin-KCD—cover 6,659 hectares of land, of which nearly 4,000 are covered with rubber trees.

The Bolloré group has always strongly denied such claims, arguing it only owns a minority of Socfin’s shares, that is, 27.25 percent of the shares and 39.75 percent of the voting rights, which doesn’t give them a decision-making majority. So far, first-level courts in France had dismissed the compensation requests of both the Cameroonians and Cambodians.

But a recent decision from the appeal court of Versailles regarding the Cameroonian case could change the course of the long-running dispute.

On Dec. 1, 2022, the French court ordered Socfin to share minutes from board meetings held over the last four years with the 145 Cameroonian plaintiffs, pointing out that the Bolloré group may indeed have actual control over the firm. French judges stated that they want to “determine the exact role the Bolloré company plays in [Socfin’s board meetings].”

Vincent Bolloré and his son Cyrille, respectively the former and newly-appointed CEO of the Bolloré group, both stand as directors on Socfin’s board. In addition, the integration of Socfin’s financial results into Bolloré group’s annual reports is an “additional clue that the Bolloré company has real and exclusive control over Socapalm,” noted the judicial decision, in reference to Socfin’s subsidiary in Cameroon, which is the equivalent to what Socfin-KCD is in Mondulkiri province.



A total of 80 Bunongs filed a complaint against the French firm Bolloré in 2015. More than 10,000 kilometers away from Bosra, 145 Cameroonians are in a similar fight for their lands, involving the same protagonists as that of the land dispute in Mondulkiri. Photo: François Camps

Proving that the Bolloré company has a “dominant influence” over Socfin would be a game-changer for both the Cameroonian and the Cambodian cases. “The decision of the appeal is

historic,” stated Fiodor Rilov, the French lawyer of the Cambodian and Cameroonian plaintiffs, in an online press conference held on Dec. 14, 2022.

If the judges’ suspicion turned out to be true, the Bolloré group could be directly sued under the 2017 law on “duty of care.” Such a law compels major firms to prevent any human rights abuses or environmental damages caused by their own activities or subsidiaries in France or abroad. If found responsible, the firms would need to compensate local populations, according to the law.

“The Cameroonian and Cambodian plaintiffs have filed a lawsuit against Bolloré, so that its responsibility within Socfin-KCD and Socapalm, are recognized,” summarized Rilov. “If these documents prove that Bolloré indeed controls Socfin, then the application of the 2017 law on corporate social responsibility would be imminent.”

In Bousra commune, the news gave plaintiffs a glimpse of hope, after years of seeing the [lawsuit stalled in judicial procedures](#). “Until now, we have not been given the justice that we deserve...but now, there is light [at the end of the tunnel] with the latest evolution of the case in Cameroon,” said Kroeung Tola, one of the 80 Bunongs involved in the lawsuit in France, during an interview.

In July 2021, which was six years after they had taken legal action in France, the lower court of Nanterre dismissed the Cambodians’ request to be granted financial compensation, ruling that they could not prove their rights to exploit the land. The court’s decision also stressed that “the Bolloré company contests the question of its responsibility, maintaining [...] that it does not control Socfin-KCD either directly or indirectly.”

“If the case in Cameroon can be resolved, I feel I want the case in Cambodia to be like theirs too,” said Suk Kros, another plaintiff from the Bousra commune. “Based on what I was informed, I think that the victims in Cameroon are seeing light and hope. If the case in Cambodia is like what has happened [to the Cameroonian plaintiffs], we will start to believe again in the court system and the law.”

Nevertheless, Kros chooses to be realistic, recalling that the procedures have so far been a long journey with few results. “I don’t know what to hope for because, through this experience, I did not see positive results about the case,” he said. “I do hope but I only have little hope.”

Tola, Kros, and many of their fellow villagers have lost the traditional use of their land since Socfin-KCD started its operations in 2007. Being from the Bunong indigenous community, they used to practice rotational farming and harvesting forest products within the area. Some of them being animists, the forest also stood as an important part of their beliefs: Forests had always been the place where they buried their dead.

But the allocation of three Economic Land Concessions (ELCs), granted by the Cambodian government to Socfin-KCD in 2007 and 2008, and to Coviphama in 2013, changed everything for the community. To pursue their economic activities, the two companies cut down thousands of trees in what was the Bunong communities’ sacred forests and started to plant rows of perfectly-aligned rubber trees over more than 7,000 hectares.

While local Bunong communities argued they had the right to live there and practice traditional rotational farming, they lacked official recognition of their rights over the land. “We didn’t have the land title, but our land was marked by our crops planted on,” Tola said.

Since 2001, the Cambodian Land Law indeed provides recognition of collective land for indigenous communities. But the process is expensive, complicated, and involves multiple ministries. According to a [report from the Office of the High Commissioner of Human Rights’ Cambodian office](#) on the collective land titling process, a total of 154 communities have been recognized by the Ministry of Rural Development out of the 455 identified communities nationwide.

But only 30 of them came to the end of the collective land titling process, and expressly received community-owned land titles from the Ministry of Land Management, Urban Planning and Construction as of September 2020, according to the report.

“If the current average yearly rate of validations continues, it will take approximately 100 years to validate the identity of the remaining 304 indigenous communities in Cambodia that have not yet been validated,” states the report.

In the meantime, a series of agreements have been signed between Socfin-KCD and five communities of the Bousra commune. The latest was agreed upon in September 2022 and paved the way for four communities—Pu Teut, Pu Raing, Pu Char and Pu Luk—to [apply for communal land title covering 511 hectares](#), inside Socfin-KCD’s ELC. The agreement also clarified the land use along the rivers located inside the ELCs and established financial backing for each community to support local agriculture.



The two Economic Land Concessions of Sethikula and Varanasi cover 6,659 hectares of land, of which nearly 4,000 are covered with rubber trees. Photo: François Camps

But Tola and the other Bunong plaintiffs in France have so far refused to engage in talks with Socfin-KCD, arguing the company does not respect the rights of indigenous people. “The mediation process itself doesn’t bring a satisfactory response to the problem,” he said, adding that he wants the company to allow them to go back to rotational farming in the areas where they used to, regretting the loss of the six hectares he used to farm “before they were taken by the company.

“I think that major companies like Bolloré and Socfin should be satisfied as they have a lot already,” he said. “They should give acceptable solutions to us, the minor citizens, rather than denying their role in encroaching on people’s land that they’ve used to sustain their livelihood.”

In France, Bolloré and Socfin’s lawyers regret the court’s decision, condemning the “bad trial” causing a “media hullabaloo.”

“Bolloré is only a minority shareholder for historical reasons, it is false and untrue to claim that it controls these plantations,” said Bolloré’s lawyer Olivier Baratelli to French media outlet Libération following the December 2022 court decision. Contacted for further comments, he didn’t respond to reporters.

The Cambodian case is soon to know further developments. After months of delay, a first hearing is due to take place at the appeal court of Versailles “early 2023,” stated the plaintiffs’ lawyer Rilov.

Teng Yalirozy contributed to the story.