

**KINGDOM OF CAMBODIA**  
**Nation Religion King**

**Royal Government**

**National Policy**

**On**

**The Development of  
Indigenous peoples**

**Approved by the Council of Ministers**

**During the Plenary Session held April 24, 2009**

**Prepared by the Ministry of Rural Development**

## Introduction

Indigenous peoples are groups of people living on the territory of the Kingdom of Cambodia, whose people have particular ethnic, social, cultural and economic unity and who practice their traditional lifestyles according to custom. Their agricultural and plantation works on the plots of land they occupy are done according to the custom of common usage of the land. The research has concluded that in the Kingdom of Cambodia there are numerous indigenous peoples, such as the **Phnong, Kuoy, Tompuon, Charay, Kroeng, Prov, Kavet, Stieng, Kraol, Mil, Kachak, Por, Khaonh, Chong, Suoy, Thmaun, Lun, Saauch, Roder, Khe, Raang, Spung, Laeun, Samre, in addition to other indigenous peoples.** Those indigenous peoples (approximately 1 percent of [the country's] total population) all live in a number of provinces, such as **Ratanakiri, Mondulkiri, Kratie, Preah Vihear, Kompong Thom, Stung Treng, Udon Meanchey, Kompong Cham, Pursat, Kompong Speu, Koh Kong, Battambang, Preah Sihanouk, Banteay Meanchey, Siem Reap and other areas.**

Those indigenous peoples practice different cultures, traditions, customs, beliefs and languages according to their particular group. As for the main occupations to make their living, they include nomadic and customary cultivation by reclaiming and burning forests to clear the land for rotary farming, collection of forest byproducts, hunting, fishing and livestock farming. Their livelihoods depend entirely on the natural environment. They face hardship and shortages in terms of roads and means of transportation. In terms of the health sector, the indigenous peoples are vulnerable people. In terms of the education sector, they have low education levels. Therefore, their living standards are also low.

In view of the above actual circumstances of the indigenous peoples, the governmental regimes of the People's Republic of Kampuchea and the State of Cambodia during the 1980s and early 1990s of the 20<sup>th</sup> century have paid great attention to work to develop the indigenous peoples through the establishment of the committee for strengthening and developing the northeast region with the aim of promoting development in all sectors for the indigenous peoples. Actually, various sectors have been significantly promoted and upgraded. For example, in the education sector the government has prioritized students from the northeast region, who hold certificates of senior high school education, to study at various faculties in Phnom Penh at an appropriate rate. Most importantly, in the energy sector a historic construction, Ochum Hydroelectric Construction, which is a medium-scale hydroelectric power that can provide power of more than 1,000 kilowatts was initially constructed in December 1990 and was put into operation on January 7, 1993 in order to serve rubber and wood processing works as well as various handicraft factories to be at the disposal of citizens and people in Ratanakiri provincial town.

Thereafter, following the general elections held in 1993, the Royal Government of Cambodia established "an inter-ministerial committee in order to work with the United Nations Development Program in the preparation of a project on the development of indigenous peoples" with the Ministry of Rural Development as chairman and implementing agent. It then established the "Department for the Development of Indigenous peoples" under the supervision of the Ministry of Rural Development with the aim of upgrading the living standards of indigenous peoples and to safeguard their valuable culture, customs, traditions and beliefs. In an effort to fulfill the above-mentioned aims and to ensure the consistent implementation process in all sectors, the Royal Government has set out this "National Policy on the Development of Indigenous peoples".

Based on the Royal Government's long-standing vision "to realize Cambodia with social solidarity, advanced education and vibrant culture, without poverty, illiteracy and poor health" and based on the Cambodian millennium development goals, particularly the first goal "*to reduce extreme poverty and starvation*" and the second goal "*to realize overall fundamental education*", this "*National Policy on the Development of Indigenous peoples*" has the following goals:

- **All indigenous peoples shall have a living standard beyond starvation and extreme poverty.**
- **All indigenous peoples shall be provided with at least nine years of fundamental education and shall be provided with appropriate vocational skills training services according to their needs and based on the geographical areas in which they live.**
- **Indigenous peoples have been provided with good healthcare services.**
- **The cultures of indigenous peoples have been carefully protected and safeguarded.**

In order to achieve the above-mentioned goals and to ensure good development management, the Royal Government has general and sectorial policies for indigenous peoples whereby the main sectors include: culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism and industry, mines and energy sectors.

## Chapter 1

### General Policy

- 1- Relevant ministries and institutions shall facilitate awareness of and the multicultural practices of indigenous peoples and do whatever to enable those indigenous peoples to gain benefits under the Constitution of the Kingdom of Cambodia.
- 2- All indigenous peoples shall be entitled to practice any cultures relating to the faith as well as their valuable traditions and customs, shall partake in the development of indigenous peoples' cultures, and shall safeguard processes. Local organizations or associations that have been established by indigenous peoples shall be both legally and administratively encouraged by the Royal Government in order for those people to help safeguard and strengthen the cultures and also protect the natural resources. Relevant ministries and institutions shall clearly ensure that indigenous peoples have participated and have clearly understood the meaning of the law.
- 3- Relevant ministries and institutions shall strengthen and respect knowledge, valuable customs, cultures, uses of land and natural resources according to the customs of indigenous peoples based on the State's laws in order to ensure the sustainable and appropriate development of culture, economy and social affairs according to the circumstances.
- 4- Legal standards for the establishment and recognition of people's collectives, such as associations or communities as legal entities shall incorporate a number of minimum requirements deemed necessary, to be stipulated in the said association's or community's statutes such as any form that leads to the establishment and recognition of a community as a legal entity, a community implementation monitoring mechanism relating between the community committee (customary authorities) of the community with the public administrative authorities, the rights and obligations of the community and membership of the community. The Ministry of Rural Development and the Ministry of Interior shall be the competent institutions to undertake to initiate and compile these legal standards.
- 5- Indigenous peoples adhering to their valuable traditions, customs, faiths, languages and use of natural resources such as lands and

forests according to custom must be clustered as communities in order to receive collective ownership of lands. The Ministry of Rural Development shall be the competent institution to determine the guidelines and set up the criteria on the establishment of indigenous people's communities with the participation and acknowledgment from the territorial authorities, the Ministry of Interior and relevant ministries and institutions.

- 6- The Ministry of Land Management, Urban Planning and Construction shall be the institution to undertake to compile legal standards for the registration of indigenous peoples' community lands.
- 7- Relevant ministries and institutions, in cooperation with the provincial authorities as well as indigenous people's communities, shall create procedures for recognition and set up the rules to reserve the right to use natural resources according to the customs of indigenous peoples in conformity with the law and avoid illegal logging as well as environmental destruction. There shall be consultation with indigenous peoples in order to ensure economic interests and development in the areas of indigenous peoples.
- 8- It is appropriate to study the sustainable and equitable development of human resources in order to promote and safeguard cultures, languages and faiths as well as the natural environment of indigenous peoples.
- 9- Relevant ministries and institutions encourage indigenous peoples to participate in the establishment of policies at all levels, and also in development planning, examination, evaluation, prevention of all forms of exploitation, violence, contempt and discrimination, promotion of gender equity, catastrophe risk control, decisions on the promotion of living standards and their interests as well as those of the communities. Indigenous peoples shall be fully entitled to express their comments and opinions and to make any decisions on the development of the economy, society and their cultures towards growth in the society.
- 10- Relevant ministries and institutions encourage the incorporation of valuable cultures, customs and the use of regional languages of indigenous peoples into the news programs of televisions and radios. Moreover, indigenous peoples shall be entitled to access information relating to their economic, social and cultural

development and also be entitled to partake in the determination of development in their communities.

- 11- Relevant ministries and institutions partake in the promotion of living standards and the livelihoods of indigenous peoples via development in all sectors according to the priority needs of indigenous peoples.

## Chapter 2

### Sectorial Policy

#### 1- Culture sector

- 1-1- The knowledge of indigenous peoples, based on their traditions and customs regarding use of forests and land, cultivation and the healthcare system, have been studied, strengthened and incorporated into the development program.
- 1-2- The values of their valuable cultures, traditions, customs as well as histories, languages and faiths and other practices have been studied and strengthened in order to ensure a safe and sustainable development with a consultation with and participation from indigenous peoples.
- 1-3- Various indigenous people's communities leaders such as senior citizens, women and men shall participate in the safeguard, protection and development of their cultures.
- 1-4- The protection of indigenous peoples' cultures shall be carried out in the interests of the indigenous peoples as well as those of the Royal Government. Relevant ministries and institutions encourage and acknowledge the local organizations, associations and cultural conservation centers being established by indigenous peoples.
- 1-5- Relevant ministries and institutions help establish museums and cultural centers for indigenous peoples communities, after consultation with and approval from indigenous peoples, to achieve cultural study and protection, including for such things as valuable customs and traditions, languages, knowledge, visions, values, faiths, living conditions, **textile handicrafts**, architecture, **textiles and other arts** of indigenous peoples, aiming to provide education, knowledge, experiences and to disseminate information relating to the development of indigenous peoples.
- 1-6- Relevant ministries and institutions conduct studies, research and compile information about the cultures, traditions, customs and faiths of indigenous peoples in order to promote awareness of and respect for the multicultural nature of indigenous peoples and to ensure that indigenous peoples can adhere to and safeguard their cultures in a sustainable manner. Moreover, this knowledge shall

be shared with other indigenous peoples and with Cambodian people as a whole.

- 1-7- Indigenous people's communities shall be entitled to access any information regarding culture, technology, the economy and politics on various matters relating to their interests and shall be entitled to access any information relating to their living conditions with equity and stability. Indigenous peoples shall be entitled to express their opinions and share their personal experiences with the Royal Government, citizens and other individuals from various countries.
- 1-8- Relevant ministries and institutions shall examine the possibility of establishing and erecting stations for the dissemination of information, education and entertainment programs, such as the promotion of indigenous peoples' valuable cultures and customs by using their languages.

## **2- Education and vocational training sector**

- 2-1- Reconstruction and development of good quality and virtue human resources in all sections in response to the social needs, interests and the actual wishes of indigenous peoples shall be considered as priorities.
- 2-2- The State organizes a complete educational system and an appropriate approval according to the needs of indigenous peoples in order to create an appropriate educational opportunity for children, young men, women and citizens of indigenous peoples. The State increasingly pays attention to the studies of indigenous peoples via the programs concerning physical materials, studying curriculum reform that is beneficial to society, the provision of dormitories, study scholarships, sponsorships and the deployment of teachers to teach in areas where there is either a shortage or a complete absence of teachers in order for them to pursue their studies at secondary school, in vocational training and in higher education schools.
- 2-3- Non-formal education has been arranged by means of educational programs in the forms of literacy, arithmetic, life skills, work skills and fundamental education for those learners who did not get access to education at formal education establishments in order to reinforce knowledge, cultures and languages and to afford unskilled and illiterate indigenous peoples and outside-school youth every possibility of becoming vocationally literate and to



develop their life management work capacities and vocational trainings. Literacy textbooks will be developed in two languages, being Khmer and the indigenous peoples' languages, to grade 4 level at the highest with the aim of providing indigenous peoples with the opportunity to gain access to education.

- 2-4- Vocational training on the other main occupational skills has been developed for indigenous peoples, especially women, young men, young women and adults in order for them to gain knowledge, practical knowledge or vocational skills in areas other than growing and plantation works and livestock farming.
- 2-5- Teacher training programs have been developed by selecting candidates who are indigenous peoples in order to turn them into teachers who are able to teach in two languages: Khmer and an indigenous people's language. Teachers from training schools have been promoted and encouraged to serve in indigenous peoples areas via complementary sponsorships and regional remuneration. Selection of teachers shall be appropriate according to the demands of remote areas; in particular, they shall be selected from those areas. Various training programs shall mainly focus on the importance of knowledge based on custom and culture as well as technical sciences in development, and also communications between men and women, and talent for dealing with various issues in Khmer and indigenous people's languages.
- 2-6- The cultures, faiths and traditions of indigenous peoples shall be included in the study curriculums;
- 2-7- The State has established community study centers within indigenous people's communities to facilitate community development and in order to create the opportunity for indigenous peoples adults and children to access education and vocational training information as well as the opportunity to gather with the elderly, deployed teachers and other agents of development.
- 2-8- Community study centers have been established in the northeast regions and in areas with large populations of indigenous peoples in order to produce and develop instructional materials suitable for teaching and learning for indigenous peoples. The study curriculums and instructional materials on the management of resources, herbal medicines and agricultural development have been developed. The State particularly encourages teachers in order for them to perform their works well.

### **3- Health sector**

#### **Relevant ministries and institutions:**

- 3-1- Encourage the promotion of hygiene, the use of clean water and publicity that may raise awareness about these health issues to indigenous peoples.
- 3-2- Encourage the appropriate study and use of herbal medicines according to the code of formulas, as well as the use of contemporary medicines, in order to ensure the welfare of indigenous peoples.
- 3-3- Take and strengthen measures on the prevention, treatment and reduction of malaria, tuberculosis, AIDS, cholera and other diseases that exist in the areas where indigenous peoples live, particularly vaccinations for children, pregnant women and nutrition programs.
- 3-4- Promote participation from the communities in development and healthcare, especially for women and children, and prioritize free care service for poor indigenous peoples.
- 3-5- Strengthen the health sector relating to women, mothers and infants by providing information on education and necessary services for women and families on primary health issues, particularly reproductive health.
- 3-6- Develop the health system appropriately according to the conditions of the areas where indigenous peoples live by establishing health stations, health centers and referral hospitals to provide healthcare and treatment services to indigenous peoples.
- 3-7- Expand the training programs and grant encouragement rewards to indigenous peoples and volunteer workers serving indigenous peoples, including traditional midwives.
- 3-8- Provide special opportunities to indigenous peoples in the development of human resources in the health sector in order to enable them to partake in and receive appropriate healthcare at any time.

### **4- Environment sector**

- 4-1- Relevant ministries and institutions provide strong encouragement to indigenous peoples through the mutual exchange of information and knowledge on the sustainable management of the environment and natural resources.
- 4-2- Indigenous peoples shall participate in the protection of, and undertake to maintain, the natural and socio-cultural environments. Any rights and communications regarding shared responsibilities shall be protected by the laws and various standard legal documents in order to ensure and encourage the use, management and maintenance of environment and natural resources for indigenous peoples.
- 4-3- Development projects in the living areas of indigenous peoples can function only if there has been an environmental and social impact assessment and publicity to relevant indigenous peoples communities in advance in order for those people to have the opportunity to provide input about their needs.
- 4-4- Relevant ministries and institutions pay attention to incorporating environmental education into both formal and non-formal educations through the use of languages and methods that are deemed easy for indigenous peoples to understand.
- 4-5- Promote research studies on biodiversity and the sustainable use of forests in the living communities of indigenous peoples, in which the participation from indigenous peoples is also required.
- 4-6- Indigenous peoples who have previously been living in the natural protection zones and other natural resources conservation zones shall be entitled to use these natural resources in a customary manner according to the laws and various standard legal documents currently in force.

## **5- Land sector**

- 5-1- Relevant ministries and institutions acknowledge the lands currently occupied and used by indigenous peoples communities according to custom, including all the lands on which the communities are building residences, lands currently in use for customary cultivation and the reserved lands necessary for rotational crop growing, burial grounds and spiritually significant lands that have been acknowledged by the administrative authorities and neighbors.

- 5-2- Relevant ministries and institutions acknowledge the collective ownership of indigenous people's communities including any rights and protections of possession as private ownership. However, the communities shall not be entitled to manage any portion of collective ownerships that are the State's public properties to any individuals or groups. The execution of rights as ownership relating to community real estate and the specific conditions of land use shall be under the responsibility of the community committees and the decision-making mechanisms of the communities in compliance with their traditions, statutes and internal regulations and shall be placed under the general laws relating to real estate.
- 5-3- Communities shall participate in land use planning in order to ensure effective land use. The provincial rural development committee, relevant authorities occupying the State's lands, the commune council and the village development committee shall examine the land uses and help create measures in order to ensure the eternal uses of natural resources.
- 5-4- Laws and standard legal documents for the protection of rights as collective ownerships and the implementation of land use plans shall be completely disseminated via easy-to-understand methods and in a manner that all members of the indigenous people's communities can understand.
- 5-5- Any land dispute that has occurred within a community shall be resolved by the community committee and the community decision-making mechanism. As for any land dispute that has occurred between a community and another community or neighbor or other individual, it shall be resolved according to the principles and legal procedures stipulated in the subdecree on the land registry committee and relevant standard legal documents.
- 5-6- Indigenous peoples, whether or not they are members or non-members of the communities, shall be protected by the Royal Government against any violation of the tradition or taking advantage of unawareness regarding the guarantee on effective occupancy rights or uses of their lands.
- 5-7- The lands of indigenous people's communities that are collective properties shall not be sold or transferred to any individual or group outside the communities. In order to facilitate the economic, social and cultural growth of indigenous people's community members and to authorize them to freely leave the

communities, the rights of individual ownerships can be particularly transferred to them on an appropriate portion of land of the State's private lands used by the communities.

- 5-8- Indigenous people's communities may not be changed or forced to leave the lands they have been occupying and using as collective ownership. However, should there be any compulsory relocation that is an exceptional measure for the nation for the sake of the national interest or immediate national requirements, this relocation can be carried out in compliance with the standard on resettlement, which is subject to prior, appropriate and fair compensation.

## **6- Agriculture and water resources sector**

- 6-1- The Royal Government acknowledges the traditional practices of customary cultivation as well as the collection of various natural resources products of indigenous peoples. In the meantime, the Royal Government has a policy to promote the living conditions of indigenous peoples via the development of agricultural production to achieve food safety and increase nutritional quality and family incomes.

- 6-2- The Royal Government's policy and strategy for the agriculture sector shall also apply to the development of indigenous peoples areas by facilitating the practices of important customs and gradually improving the bad traditions of indigenous peoples.

- 6-3- Relevant ministries and institutions:

- Shall promote the development of the agriculture sector in those areas according to the sectorial strategic plan with attention to be especially paid to the traditions and customs of indigenous peoples.
- Shall try to correct the bad habits of indigenous peoples in the agriculture sector (growing, plantations and livestock farming) with the gradual incorporation of advanced technology.
- Shall be arranged in indigenous people's communities in order to manage and collect products from natural resources (forest, wildlife, fishery products...) within the community jurisdictions in order to ensure the perpetuity of natural resources and environmental protection.
- Shall build necessary infrastructure for research studies on resource potential, geographical conditions and climates to

- serve as the basis for building short-, medium- and long-term agriculture sector development programs as they possibly can.
- Shall prepare the availability of credit and loans to promote agricultural and plantation works and livestock farming to reduce poverty.
  - Shall arrange irrigation systems for all types of growing and plantation works by organizing growing and plantation methods whereby the yields are collectable.
  - Shall promote the establishment of small-, medium- and large-scale hydroelectricity wherever the geographical conditions allow this because the northeast regional areas are almost highlands.
  - Shall organize the supply of clean water for their daily living and hygiene conditions.

## **7- Infrastructure sector**

- 7-1- Relevant ministries and institutions, local authorities of all levels and the communities shall pay attention to the restoration and development of physical infrastructures in the living areas of indigenous peoples aiming to respond to requirements in the interests of the economy, social affairs and culture and to facilitate [the movement of] traffic within the areas and to various other areas.
- 7-2- The studies and assessments of impacts on the environment, economy, social affairs, cultures and natural resources shall be conducted before the commencement of the infrastructure project and the outcomes of the studies shall be dealt with and comprehensively disseminated to the local communities using Khmer and each indigenous people's language wherever this is possible.
- 7-3- Indigenous people's communities shall be provided with the opportunity to provide comments and opinions in the functioning process of infrastructure projects in their living areas.
- 7-4- The authorities of all levels and indigenous peoples shall ensure the effective maintenance and protection of physical infrastructures.

## **8- Justice sector**

- 8-1- The competent institutions and authorities shall provide information and promote the dissemination of laws and policies

of the Royal Government in the justice sector to indigenous peoples so they are aware of the laws, rights and obligations as citizens living in the society.

- 8-2- The community committees that are a mechanism for dispute resolution in the living areas of indigenous peoples has been recognized and encouraged to participate in serving the justice sector. In case the dispute cannot be reconciled, the committee shall forward this case to other dispute resolution mechanisms or to the court.
- 8-3- The community committees shall undertake to resolve various disputes occurring between the communities of indigenous peoples. In case the reconciliation fails, the community committees shall forward this case of dispute to other dispute resolution mechanisms or to the court.
- 8-4- In case the dispute of indigenous peoples has to be resolved in court and in case they are not able to speak Khmer the competent institutions shall be required to seek an interpreter to do interpreting into the indigenous people's languages in order for them to have the opportunity to clearly understand what will happen before the court.

## **9- Tourism sector**

- 9-1- The Royal Government of Cambodia has clearly determined that the Cambodian tourism sector is largely cultural and natural tourism. Development of tourism in the areas of indigenous peoples shall ensure the protection of cultures, customs, traditions and the interests of indigenous peoples, including environmental protection.
- 9-2- Strategic plans for the development of tourism in the areas of indigenous people's communities shall be prepared with participation from the communities and relevant sectors and the said strategic plans shall be incorporated into the strategic plan for the development of the national tourism sector and shall also be effectively implemented.
- 9-3- Relevant ministries and institutions shall pay attention to and promote further cooperation in the restoration and reconstruction of infrastructure supporting tourism in order to connect cities, towns and tourist resorts to various tourist destinations in the areas of indigenous peoples communities and promote the

organization of appropriate fitness of the tourists to visit tourist destinations of indigenous peoples communities in order to provide employment opportunities and income and to contribute to conservation and the development of communities.

9-4- Indigenous people's tourist communities shall establish teams to provide training on awareness of the tourism sector, tourist community management methods and sponsorships encouraging both small and medium scale tourist business operations and the service of indigenous people's communities in order to contribute to poverty reduction.

9-5- The cultures, customs and traditions of indigenous peoples shall be safeguarded, protected and **transformed** into tourist products in order to attract tourists to visit the communities, provide education and encourage indigenous peoples to participate in the provision of tourist guide services and transportation services via ordinary means such as the use of elephants instead of practicing hunting or logging, which is prohibited.

9-6- Relevant ministries and institutions encourage and provide opportunities to indigenous peoples to serve in both local and external tourist enterprises of their living areas without any discrimination.

9-7- Relevant ministries and institutions support and promote handicraft and invention works, the production of souvenir items in indigenous people's communities, and help seek markets and financial resources from both local and overseas development partners, nongovernmental organizations, and private sector related parties or from tourists in order to help indigenous people's communities.

## **10- Industry, mines and energy sector**

10-1- Develop small and medium scale industry and handicraft sectors by mainly focusing on the work processing natural resources, agro-industry and artistic and cultural products that are available in the areas of indigenous peoples.

10-2- Provide information and knowledge to indigenous peoples about the processes of producing small and medium scale industries and handicrafts.



- 10-3- Relevant ministries and institutions shall develop clean water supplies to indigenous people's communities in order for them to get access to clean water for use.
- 10-4- Changes to new residences of indigenous peoples in the areas of mineral resources concessions shall be carried out according to the Law on the Management and Business Operation of Mineral Resources and the Land Law in force.
- 10-5- Relevant ministries and institutions shall promote and encourage the concessionaires holding licenses for mineral resources to reconstruct various infrastructures such as schools, hospitals and vocational training centers for the mineral sector in the areas of indigenous peoples.
- 10-6- Maximize employment opportunities to indigenous peoples and training to those with no experience in the mineral exploration for mineral business operations with appropriate capacity and skill in order to be employed by the concessionaires holding licenses for mineral resources at all levels of mineral exploration and mineral business operation works.
- 10-7- Encourage the education, instruction, training and dissemination of information about the effective consumption of all kinds of electrical power and reduce environmental and social impact in the areas of indigenous peoples in order to ensure safe and sustainable development.
- 10-8- Relevant ministries and institutions are supportive and facilitate and help encourage developers of both small and medium scale electrical power sources such as renewable energies, including solar, small scale hydro-electrical, bio-fuel, biomass and biogas energies, etc.; promote the growing and plantation works of plants and energy production via the clean development mechanism for the areas of indigenous peoples.
- 10-9- Promote the equitable distribution of electrical services and try to maintain appropriate electricity prices received from private small electrical services for ordinary consumption purposes for people living in indigenous people's areas.

## **Conclusion**

This prepared "National Policy on the Development of Indigenous peoples" raises and indicates the visions, targets, policies and activities of the governments and the Royal Government of Cambodia for indigenous peoples on the road towards development in all sectors in the living areas of indigenous peoples. The aim is to reduce their poverty and upgrade their living conditions, provide them with better educational and health services and help protect and safeguard their cultures.

In order to ensure the sustainable development of indigenous peoples both now and in the future aiming to meet the above-mentioned targets, the general and sectorial development policies have mainly focused on culture, education, vocational training, health, environment, land, agriculture, water resources, infrastructure, justice, tourism, and the industry, mines and energy sectors, etc.

The Royal Government's best efforts to develop the indigenous peoples bring about real change and growth for indigenous peoples in their living areas. The active participation of indigenous peoples in cooperative improvement of their communities may lead to great change.

Relevant ministries and institutions, as well as the territorial authorities of all levels, shall contribute to the highly effective promotion and implementation of the National Policy on the Development of Indigenous peoples and shall comprehensively disseminate this policy to citizens, especially indigenous peoples and development partners, with the aim of encouraging them to gain confidence in participating in the development of indigenous peoples and national development.

*(National Coat-of-Arms)*  
**KINGDOM OF CAMBODIA**  
**Nation Religion King**

**3**

**Office of the Council of Ministers**  
**No. 653 N.D.**

*Phnom Penh, May 7, 2009*

**NOTIFICATION**

**On**

**Outcomes of the Plenary Session of the Council of Ministers**  
**Held April 24, 2009**

**3**

On April 24, 2009 at 08:30 at the temporary office of the Council of Ministers located at the Office of the Ministry of Foreign Affairs and International Cooperation, a plenary session of the Council of Ministers was held under the highly esteemed presidency of *Samdech Akka Moha Sena Padei Techo HUN SEN*, Prime Minister of the Kingdom of Cambodia, in order to examine and discuss:

- 1- Draft National Policy on the Development of Indigenous peoples;
- 2- Draft Policy on the Registration of Lands and the Rights to Use of Indigenous Community Lands;
- 3- Draft Subdecree on Procedures for the Registration of Indigenous peoples Community Lands;
- 4- Other issues;

**1- Draft National Policy on the Development of Indigenous peoples**

The Council of Ministers has decided:

- 1.1- On page 1, line 2 of the glossary, at the explanation of the term **Indigenous peoples**, to modify the phrase "Khmer people who are preponderant indigenous peoples" to: Khmer people who are core nationals";
- 1.2- On page 2 of the glossary, at the remarks:
  - To modify the explanation of the term "**ethnic minorities**" to: "groups of people of Khmer nationality who have their own distinctive languages, cultures, traditions and customs and who are living among Khmer people who are core nationals";  
*(Initials)*
  - To modify the term "**preponderant indigenous peoples**" to: "**core nationals**";
- 1.3- On page 4, item 7 of the Draft National Policy on the Development of Indigenous peoples, to omit the term "capital city";

Besides the above modifications, the Council of Ministers has decided to approve the Draft National Policy on the Development of Indigenous peoples developed and proposed by the Ministry of Rural Development and an inter-ministerial meeting.

Meanwhile, the Council of Ministers has decided to:

- Attach the glossary that has already been modified as an annex to the Draft National Policy on the Development of Indigenous peoples, the Draft Policy on the Registration of Lands and the Rights to Use of Indigenous peoples Community Lands and the Draft Subdecree on the Procedures for Registration of Indigenous peoples Community Lands;
- Allocated duties to ministries and institutions relating to the ten sectors mentioned in the Draft National Policy on Development of Indigenous peoples in cooperation with the Ministry of Economy and Finance to arrange the establishment of budgetary framework for priority expenditure in the development of the areas of indigenous peoples;

## **2- Draft Policy on the Registration of Lands and the Rights to the Use of Indigenous peoples Community Lands**

The Council of Ministers has decided to omit all terms "capital city" and "district" that appear in the Draft Policy on the Registration of Lands and the Rights to the Use of Indigenous peoples Community Lands.

Besides the above modifications, the Council of Ministers has decided to approve the Draft Policy on the Registration of Lands and the Rights to Use of Indigenous peoples Community Lands arranged and proposed by the Council of Land Policy and the inter-ministerial meeting.

## **3- Draft Subdecree on the Procedures for the Registration of Indigenous peoples Community Lands**

The Council of Ministers has decided to provide its definitive approval to the Draft Subdecree on the Procedures for Registration of Indigenous peoples Community Lands arranged and proposed by the Ministry of Land Management, Urban Planning and Construction and inter-ministerial meeting.

Meanwhile, the Council of Ministers has decided to:

- 3.1- Allocate duties to the Ministry of Land Management, Urban Planning and Construction, relevant ministries, institutions and territorial authorities to immediately start implementing the Subdecree on the Procedures for the Registration of Indigenous peoples Community Lands when the said Subdecree takes effect in order to clearly determine the surface areas of indigenous peoples community lands, aiming to use all land potential available to serve development of the agriculture sector and social affairs land concessions;

- 3.2- Allocate duties to the Council for the Development of Cambodia and the Ministry of Agriculture, Forestry and Fisheries to continue strengthening the management of investment in economic concession lands by paying great attention to the arrangement of investment contracts such as incorporation of the contents regarding the obligations and responsibilities of the investment companies on the protection of concession land areas that have been authorized for investments, the process commencement period, deposit payment, prevention of forest fire, expenses incurred for the construction of roads for the prevention of forest fire, etc., as well as to monitor the implementation activities of investment companies after the investment contracts have been signed;
- 3.3- Revoke any economic concession land contracts of any investment companies failing to comply with the contents of the contracts such as by leaving the land vacant by not starting the business operation process, inattention and negligence in undertaking preventive measures, leading to forest fire, etc., in order to increase the level of responsibility of the investment companies.

All relevant ministries, institutions and municipal and provincial territorial authorities shall pay attention to the implementation of this notification, to achieve a positive outcome upon its receipt.

**CC:**

- Secretary-General of the Royal Government
- Cabinet of *Samdech* Prime Minister
- Cabinet of the Deputy Prime Minister
- Records - Archives

**Deputy Prime Minister,  
Minister of the Office of the  
Council of Ministers**  
*(Signature and stamp)*

**SOK AN**

## Glossary

- Indigenous peoples** : Genetically distinct ethnic groups who are living in Cambodia and have their own distinctive languages, cultures, traditions and customs different from those of the Khmer people who are the core nationals. Indigenous peoples include Phnong, Kuoy, Tompuon, Charay, Kroeng, Prov, Kavet, Stieng, Kraol, Mil, Kachak, Por, Khaonh, Chornng, Suoy, Thmaun, Lun, Saauch, Roder, Khe, Raang, Spung, Laeun, Samre and other indigenous peoples. The lifestyles of those indigenous peoples adhere to their customs and they do their agricultural and plantation works on plots of land they occupy according to the code of formulas, and the tradition of the collective use of lands. Together, indigenous peoples make up approximately 1 (one) percent of the total population and have been living with the Khmer ethnic groups in harmony in a number of provinces such as Ratanakiri, Mondulkiri, Kratie, Preah Vihear, Kompong Thom, Stung Treng, Udor Meanchey, Kompong Cham, Pursat, Kompong Speu, Koh Kong, Battambang, Preah Sihanouk, Banteay Meanchey, Siem Reap provinces and in other areas.
- Collective ownership** : Plots of land that are jointly owned by the community of a group of indigenous peoples and these ownerships are not the individual private possession of each community member. Each community member or each family of the community shall not be entitled to manage the plots of land that are collectively owned.
- Ethnic groups** : Groups of people who share the same family, economic and social structures and have the same language and culture.
- Residential lands** : Plots of land that are used by indigenous peoples community members for house construction or permanent stay (residence) purposes.

**Reserved lands necessary for rotational crop growing - lands prepared to be reserved for nomadic plantation or**

**Rotational plantations** : Plots of land that have until now been used by indigenous peoples communities as paddies or plantation for rotational crop growing according to custom.

**Spiritual forestlands** : Places reserved by the communities to serve for making sacrifices or offerings according to tradition and custom.

**Burial ground forestlands** : Places reserved by the communities for burial according to their customs.

**Conception** : A general understanding of something.

**Community tourism** : National policy that was organized by the Ministry of Tourism to be applied within the community for the development of the tourism sector with the aim of reducing poverty of indigenous peoples in the said community.

**Tourist community** : A community that is based on the tourism sector.

**Administrative authorities:** Local authorities and authorities with a mandate to occupy the State's lands or the State's natural resources in the said area.

**Customary authorities or community committees:**

Community management that members of an entire community have selected to solve community problems. It is a mechanism for the resolution of disputes within the communities outside the jurisdiction of the court.

**Neighbors** : Citizens or communities or authorities occupying the State's lands with their lands bordering the community lands requested for registration.

**Remarks**

**Ethnic minorities** : Groups of Khmer nationals who have their own distinctive languages, cultures, traditions and

customs and who are living among the Khmer people who are core nationals.

**Core nationals**

: Native-born Khmer ethnic groups who have been living in the territory of Cambodia and who make up approximately (90) percent of the total population.