

INDIGENOUS PEOPLES/ETHNIC MINORITIES
AND
POVERTY REDUCTION
CAMBODIA

Environment and Social Safeguard Division
Regional and Sustainable Development Department
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FOREWORD

This publication was prepared in conjunction with an Asian Development Bank (ADB) regional technical assistance project on Capacity Building for Indigenous Peoples/Ethnic Minority Issues and Poverty Reduction, covering four developing member countries (DMCs) in the region, namely, Cambodia, Indonesia, Philippines, and Viet Nam. The project is aimed at strengthening national capacities to combat poverty and at improving the quality of ADB's interventions as they affect indigenous peoples.

The report was prepared jointly by Mr. Hean Sokhom and Ms. Tiann Monie, ADB consultants based in Cambodia, under the guidance of Mr. Roger Plant, the leader of the consultants team. The findings contained herein are the result of several activities under the technical assistance, including a provincial workshop held in Ratanakiri Province on 21–22 May 2001, and a national workshop in Phnom Penh on 13–14 September 2001. Extensive fieldwork and consultations with high-level government representatives, indigenous peoples themselves, and nongovernment organizations (NGOs) were also undertaken. The findings of this study were shared at a regional workshop held in Manila on 25–26 October 2001, which was attended by representatives from the four participating DMCs, NGOs, ADB, and other finance institutions.

The project was coordinated and supervised by Dr. Indira Simbolon, Social Development Specialist and Focal Point for Indigenous Peoples, ADB. The assistance of Jay Maclean in editing and of Anita L. Quisumbing and Lily Bernal in production is acknowledged with thanks.

The publication is one of a series of documents produced by the project. They comprise four country reports (on Cambodia, Indonesia, Philippines, and Viet Nam, respectively), a regional report covering these four countries, and the proceedings of the regional workshop that resulted in recommendations for a regional action plan for indigenous peoples/ethnic minorities. In addition, a regional report on the subject in Pacific DMCs was prepared under a separate consultancy.

It is hoped that the information in this publication series on the issues and concerns of indigenous peoples/ethnic minorities will help guide national governments and other development partners in improving future interventions to recognize, promote, and protect the rights of these peoples.



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Chief Compliance Officer and
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The preparation of this report benefited greatly from the contributions of the stakeholders themselves, workshop participants, and representatives of international organizations, nongovernment, and indigenous peoples' organizations. These include the Cambodian Human Rights and Development Association, Coopération Internationale pour le Développement de la Solidarité, Health Unlimited, International Cooperation for Cambodia, International Development Research Centre of Canada, Non-Timber Forest Products, and the United Nations Development Programme Partnership for Local Governance.

Hean Sokhom and Tiann Monie

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ABBREVIATIONS

ADB	–	Asian Development Bank
ADHOC	–	Cambodian Human Rights and Development Association
CARERE	–	Cambodian Rehabilitation and Regeneration Project (UNDP), now called Partnership for Local Governance
CBNRM	–	community-based natural resource management
CIDSE	–	Coopération Internationale pour le Développement de la Solidarité
DFW	–	Department of Forestry and Wildlife of MAFF
GMS	–	Greater Mekong Subregion
HPP	–	Highland Peoples Programme
HU	–	Health Unlimited (an NGO)
IDRC	–	International Development Research Centre (Canada)
IMC	–	Inter-Ministerial Committee for Highland Peoples Development
IO	–	international organization
LAO PDR	–	Lao People's Democratic Republic
MAFF	–	Ministry of Agriculture, Forestry, and Fisheries
MDM	–	Médecins du Monde
MOH	–	Ministry of Health
MRD	–	Ministry of Rural Development
NFE	–	nonformal education
NGO	–	nongovernment organization
NTFP	–	Non-Timber Forest Products (an NGO)
PRA	–	participatory rural appraisal
PRDC	–	provincial rural development committee
RETA	–	regional technical assistance
SEDP I	–	First Socioeconomic Development Plan, 1996-2000
SEDP II	–	Second Socioeconomic Development Plan, 2001-2005
UNCHR	–	United Nations Commission on Human Rights
UNDP	–	United Nations Development Programme
UNESCO	–	United Nations Educational, Scientific and Cultural Organization
UNICEF	–	United Nations Children's Fund
UNTAC	–	United Nations Transitional Authority of Cambodia
VDC	–	village development committee
WHO	–	World Health Organization

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INTRODUCTION

In 1999, the Asian Development Bank (ADB) approved a Policy on Indigenous Peoples in order to provide a framework for its commitment to recognize the vulnerability of certain socially or culturally distinct groups to being disadvantaged in comparison with mainstream society, and to identify measures to satisfy the needs and development aspirations of such people. The policy focuses on their participation in development and the mitigation of undesirable effects of the development process, especially incidence of poverty.

The Government of Cambodia has also expressed keen interest in strengthening its policies relating to indigenous peoples and poverty reduction.

OBJECTIVES

The two principal objectives of the regional technical assistance were (i) to strengthen ADB's Policy on Indigenous Peoples by a poverty assessment of these peoples in selected developing member countries (DMCs); and (ii) to develop, using participatory methods, an appropriate agenda for action to ensure poverty reduction for indigenous groups.

The specific objectives were (i) to conduct a poverty assessment of indigenous peoples and examine Cambodia's relevant national policies and legislation, programs, projects, and initiatives pertaining to indigenous groups; (ii) to evaluate and assess the impact of ADB's interventions that address the vulnerability and poverty of indigenous peoples in Cambodia; and (iii) to provide capacity building for government, nongovernment organizations (NGOs), and indigenous peoples so that they can actively participate in formulating action plans as well as in ADB-sponsored programs and projects.

The main purpose of this country report was to provide a background document for discussion at a national workshop. The results of the deliberations in

the national workshop, including a proposed action plan, were later discussed in a regional workshop.

METHODOLOGY

Three consultants and two field researchers from Cambodia were hired to implement the project. One consultant was based in Ratanakiri Province in northeastern Cambodia; the second was based in Phnom Penh at the office of the Inter-Ministerial Committee for Highland Peoples Development in the Ministry of Rural Development; and the third provided support for drafting the country report and organizing the national workshop.

The project consisted of two phases. Phase I, of 2 months, comprised consultation with local authorities, indigenous communities, and international organizations (IOs)/NGOs that work closely with indigenous communities, and primary research in 13 villages in 4 northeastern provinces—Mondulakiri, Ratanakiri, Stung Treng, and Kratie—where indigenous peoples are concentrated (Table 1).

Target villages in Ratanakiri Province were chosen in consultation with NGOs based there. They proposed 4 communes in which villagers stated that the problems of land and forest were very serious. In Soeung commune (2 villages) and Kak commune (5 villages), villagers are vulnerable to land encroachment and land grabbing. In Ekapheap commune (1 village) and Se San commune (1 village), the consultation focused on health, education, and social effects of the Yali Falls dam. In Kamphun commune (1 village), Stung Treng Province, which was proposed for inclusion by the director of the provincial rural department, the problems were based on a general assessment of livelihoods. The consultant based in Phnom Penh investigated 3 villages: 1 in the Romanea commune, Sen Monorom district, Mondulakiri Province; and 2 in Kan Tout commune, Kratie district, Kratie Province.

The results of consultation and primary research were used as documents for discussion in a provincial workshop held in Banlung, Ratanakiri, 21–22 May 2001.

Phase II began after the provincial workshop, when a consultative working group was set up, consisting of 15 persons: government officials, NGO staff, and representatives of highland peoples. The working group's role was to (i) identify existing information on highland peoples and poverty trends; (ii) facilitate contacts with indigenous organizations; (iii) give advice on specific areas for fieldwork; and (iv) review the draft report of the consultants.

The study team continued the consultation process through fieldwork in four villages of Ratanakiri and three villages of Mondulkiri (Table 1) in order to fill gaps and consolidate the country report.

The villages chosen for Phase II have diverse problems. In Tuy village, an area close to Banlung, environmental changes are taking place very rapidly. Kanat Touch village has health and education problems associated with radical changes in the river caused by the Yali Falls dam. Siek village is vulnerable to land encroachment/grabbing. The Kreung (forest of spirits) ethnic group of Kameng village has been affected by the logging concession in the area. On advice from development workers, the choice of villages for consultation in Mondulkiri was based on various geographic and economic issues.

The study team also used the results of consultations done in 1999–2001 in 6 villages containing Kuy, Stieng, and Phnong ethnic groups in 2 other northeastern provinces (Kratie and Stung Treng) by the NGO Partner for Development (Table 2).

Table 1. Villages Visited by the Project Team

Project Component/ Province	District	Commune	Indigenous Community	Number of Villages Visited
Phase I				
Mondulkiri	Sen Monorom	Romanea	Phnong	1
Kratie	Kratie	Kantuot	Kreng	2
Stung Treng	Se San	Kamphun	Brao	1
Ratanakiri	Bokeo	Soeung	Tampuon	2
	Bokeo	Kak	Tampuon and Jarai	5
	O Chum	Ekapheap	Kreng and Tampuon	1
	O Yadao	Se San	Jarai	1
Phase II				
Ratanakiri	O Chum	Pouy	Kreng	1
	Andong Meas	Talao	Kachak	1
	Kon Mom	Ta Ang	Kreng-Khmer	1
	Bokeo	Ting Chak	Tampuon	1
Mondulkiri	O Raing	Dakdam	Phnong	1
	O Raing	Sen Monorom	Phnong	1
	Sen Monorom	Sokhadom	Phnong	1

Table 2. Villages Visited by Partner for Development

Province	District	Commune	Village	Indigenous Community
Kratie	Snuol	Pir Thnou	Thmar Haldeykraham	Stieng
	Sambo	Sre Chis	Kantru	Phnong
	Snuol	Sre Char	S'aat	Stieng-Khmer
Stung Treng	Sambo	Kbal Damrey	Sre Treng	Phnong-Khmer
	Se San	Talat	Rumboat	Kreung-Khmer
	Siem Bok	Koh Sralao	Pchol	Kuy-Khmer

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INDIGENOUS PEOPLES IN CAMBODIA

TARGET POPULATIONS

Indigenous ethnic minorities in Cambodia are called variously *ethnic minorities*, *hill tribes*, *highlanders*, *highland people*, *indigenous people*, and *Khmer Leu*; they often call themselves *Choncheat*. For the sake of convenience, the terms *indigenous peoples* and *highlanders* are used rather than *ethnic minorities*. *Indigenous peoples* is used in the sense of the ADB working definition (ADB, 1999a) to include “those with specific social or cultural identity distinct from the dominant or mainstream society, which makes them vulnerable to being disadvantaged in the process of development.” The term *highlanders* is used because most of these populations live in the four northeastern provinces of Monduliri, Ratanakiri, Stung Treng, and Kratie, which are considered upland areas. The study focuses almost exclusively on these four provinces, in which the people are especially poor even by Cambodian standards.

The indigenous peoples in the highland area can be distinguished from their lowland neighbors not only by their long-standing inhabitation of the remote upland forest areas but also by their distinctive religion, which is associated with their environment, and by their use of semi-nomadic, swidden (slash-and-burn) agriculture techniques (White, 1996).

The majority of the country's ethnic minority population is excluded by this definition.

ETHNOLINGUISTIC CHARACTERISTICS

Cambodia is a multi-ethnic society with a majority of ethnic Khmer. These include the Vietnamese, Cham, Chinese, and indigenous peoples.

Among the various ethnic groups, the indigenous populations, as the word implies, account for the most ancient inhabitants of the country. This generic and vague term is used to designate a mosaic of groups that are both heterogeneous—given some aspects of their material and social life—and alike, in the sense that most of them belong to the same cultural substratum, which is usually called Proto-Indo-Chinese civilization. Their religion and whole mode of existence for centuries has been founded on their relationship with this environment. They devote themselves to a form of religion based on a spirit cult.

Although certain groups have a common origin and have become separated over time, some people for whom geographic and linguistic stocks are clearly distinct, like the Jarai (Malayo-Polynesian) and the Tampuan (Môn-khmer) of Ratanakiri, tend to draw near each other and intermarry to such an extent, especially in Andong Meas district, that focusing on their differences becomes superfluous and arbitrary. Indeed, all through their history, the highlanders have maintained close relationships with one another as well as with the Khmer and other peoples in the plains.

There are two linguistic families within the indigenous population: the Austro-Thais (or Malayo-Polynesians) and the Môn-Khmer. In the first group are the Jarai in Ratanakiri and a few Rhade mixed with the Phnong in Monduliri. These two ethnic groups are linguistically related to the Cham subgroup, to which belong the Muslim Cham of Cambodia.

The Môn-Khmer family includes Brao, Khmer Khe, Kravet, Kreung, Kraol, Lun, Mel, Phnong, Poar, Raong, Saoch, Stieng, Suoy, Kuy, Tampuan, and Thmaun ethnic groups (Table 3).

Table 3. Geolinguistic Classification of the Main Indigenous Populations in Cambodia

Ethnic Group*	Subgroup	Group	Family	Number (approx.)	Location
Jarai	Chamic	Austronesian	Austro-Thai	14,000	Ratanakiri
Rhade	Chamic	Austronesian	Austro-Thai	a dozen	Mondulkiri
Kachac	North Bahnaric and Chamic	Bahnaric	Môn-Khmer	2,200	Ratanakiri
Tampuon	West Bahnaric	Bahnaric	Môn-Khmer	18,000	Ratanakiri and Mondulkiri
Brao	West Bahnaric	Bahnaric	Môn-Khmer	5,500	Ratanakiri and Stung Treng
Kreung	West Bahnaric	Bahnaric	Môn-Khmer	14,000	Ratanakiri
Kravet	West Bahnaric	Bahnaric	Môn-Khmer	4,000	Ratanakiri (Veunsai) and Stung Treng (Siempang)
Lun	West Bahnaric	Bahnaric	Môn-Khmer	300	Ratanakiri (Taveng, Veunsai) and Stung Treng
Phnong	South Bahnaric	Bahnaric	Môn-Khmer	19,000	Mondulkiri, Stung Treng and Ratanakiri
Stieng	South Bahnaric	Bahnaric	Môn-Khmer	3,300	Kratie (Snuol) and Mondulkiri (Keo Seyma)
Kraol	...	Bahnaric	Môn-Khmer	1,960	Kratie and Mondulkiri (Koh Nyek)
Mel	...	Bahnaric	Môn-Khmer	2,100	Kratie
Poar	(Eastern Pear, Western Pear)	Pearic	Môn-Khmer	1,440	Kampong Thom and Pursat
Saoch	(Saoch)	Pearic	Môn-Khmer	175	Kampot and Pursat
Suoy	Môn-Khmer	1,200	Kampong Speu (Oral)
Khmer Khe	Khmer	Khmer	Môn-Khmer	1,600	Stung Treng (Siempang)
Kuy	...	Katuic	Môn-Khmer	14,200	Preah Vihear, Kampong Thom, and Stung Treng

* Other groups identified in 1995 for which no other data are available include Robel (1,640), Thmaun (543), Loemoun (280), Kola (31), Kaning (150), Poang (260), and Roong (in Keo Seyma, Mondulkiri).

Note: ... = unknown.

Source: Bourdier (1996).

LOCATION OF INDIGENOUS PEOPLES

The predominant dwelling areas of the indigenous populations are in the extremities of sparsely populated areas of the north and northeast—Kratie (Stieng, Kraol, Mel, Phnong, Kuoy, Thmaun), Mondulkiri (Phnong, Stieng, Kraol, Roong, Rhade), Ratanakiri (Tampuon, Jarai, Kreung, Brao, Lun, Kravet, Kachac), Stung Treng (Kuy, Phnong, Kravet, Kreung, Khmer Khe, Lun, Brao), Preah Vihear (Kuy), and Kampong Thom (Kuy)—as well as the mountainous massifs in Koh Kong (Poar), Pursat (Poar), Kampong Speu (Suoy) and Sihanoukville (Saoch). These areas are mainly along the national borders of Viet Nam, Lao People's Democratic Republic (Lao PDR), and Thailand. In contrast, the central areas and the banks of the Mekong River are the domain of the Khmer.

The territories of some groups go beyond the Cambodian border. The Jarai in Ratanakiri, and the Phnong in Mondulkiri and in Kratie, may be found respectively in the provinces of Pleiku and Dalat in Viet Nam; the Kuy, present in Preah Vihear and in Kampong Thom, are also in Thailand and in Lao PDR; and the Brao and Kravet in Ratanakiri are related to those in southern Lao PDR. The border, imposed by the French in 1903, artificially divided these groups and restricted their movements to an area that was previously free of administrative control.

The lack of population studies leads to a difficult situation in quantifying the number of ethnic groups in Cambodia. Recently, the Government stated that 264,600 people belonged to ethnic minority groups living in the country, or about 4% of the population of 6.5 million. The Cham, also named Khmer Islam, were the second largest ethnic community in Cambodia after the Khmer majority. The Chinese community, with a population of 34,500, was the third largest group, and somewhat surprisingly, the fourth largest group was the highland ethnic peoples called the Phnong or Mnong. The Vietnamese community was classified as the seventh largest group. Until 1992, the ethnic Chinese and Vietnamese were classified as ethnic Cambodian groups alongside the indigenous minorities and the Cham (Pen, 1996).

The currently available statistics on ethnic minority populations are based mainly on estimates from different government agencies and independent observers and researchers. In 1992, the Department of

Ethnic Minorities of the Ministry for Religious Affairs stated that there were approximately 36 ethnic minority groups totaling 309,000 persons, which was about 3.5% of the total population of 8.9 million. In 1995, the Ministry of Interior stated that there were 443,000 ethnic minority persons, or 3.8% of the total population of 9.7 million. The Ministry of Interior includes the Chinese and Vietnamese ethnic populations within the ethnic groups of Cambodia (Pen, 1996). According to this estimate, the total indigenous ethnic minority population was 70,000, representing 0.7% of the total population of Cambodia in 1995.

According to Bourdier (1996), the indigenous peoples considered as minorities across the whole country reached 142,700 in 1995.

According to a 1997 paper (IMC, 1997a), the ethnic minority population was nearly 105,000 in the three northeastern provinces of Mondulkiri, Ratanakiri, and Stung Treng. However, provincial sources in the same year gave a slightly lower total for all four provinces in this study—Ratanakiri, Mondulkiri, Stung Treng, and Kratie—of about 102,000.

The indigenous ethnic peoples found in Ratanakiri, Mondulkiri, Stung Treng, and Kratie represent about 66%, 71%, 7%, and 8%, respectively, of the total populations in these provinces. As a whole they represent 1% of the total population of Cambodia according to the Inter-Ministerial Committee for Highland Peoples' Development (IMC, 1997a). Although ethnic groups are found in other provinces like Preah Vihear, Pursat, Kampong Thom, and Sihanoukville, they represent only about 0.04% of the total population.

Based on the 1997 IMC percentages and 1998 census data, the total ethnic population in the four provinces is 112,000. There are indigenous peoples in other provinces, but without precise data, they are excluded from this number.

The term *ethnic minority* is a misnomer in both Ratanakiri and Mondulkiri because the ethnic minority peoples are, in fact, the majority of the total population in these two provinces. These populations lived in the remote northeastern wooded highlands for many centuries, while the Khmer Lao and Chinese have only recently settled along the rivers and in urban areas of the two northeastern provinces.

The National Population Census 1998 identified 17 indigenous groups in Cambodia based on their spoken language. According to this source, the total

number of indigenous peoples was about 101,000 or 0.9% of the then total population of 11.4 million (Table 4). The census data do not include some indigenous groups, such as Saoch in Sihanoukville, Suoy in Kampong Speu, or Poar in Pursat.

However, identification of ethnic groups by language may not reflect reality. The indigenous population is probably higher than the estimate by the National Population Census. Some people might say they speak one or another language as their mother tongue, but these groups are xenophobic and many, e.g., the Kuy, Saoch, and Stieng ethnic groups who live closely with the mainstream population, would not be likely to tell outsiders their true identity.

RECENT HISTORY

The northeastern region of Cambodia, home to the ethnic groups of this study, is a fertile and politically

strategic arena in which surrounding empires and colonizing powers historically have vied for political control and tried to exploit the considerable local resources. Such activities have inevitably affected the indigenous populations. The waterways of the Sre Pok and Se San rivers and their tributaries, which connect the northeast to the rest of Cambodia and surrounding areas, have long played a vital role in trade and communications in the region, and have brought their own influences. Because of successive waves of invasion by the Cham, Khmer, Thais, and Annamites, no centralized control was ever established in the regions during this period. For centuries the indigenous groups had sporadic contact with Chinese, Lao, Thai, and Khmer traders in the region (both the Khmer and Cham empires are believed to have been active in these areas from as early as the 11th century).

In addition to the long-standing trade in goods in the region, there was also a slave trade. Chinese sources in the late 13th century describe how the majority of people living in Angkor were slaves taken captive from

Table 4. Indigenous Peoples Identified by Language Spoken

Ethnic Group	Ratanakiri	Stung Treng	Mondulkiri	Preah Vihear	Kratie	Total
Brao	7,132	207	14	8	0	7,361
Jarai	15,669	16	116	0	0	15,801
Kachac	2,054	2	0	0	0	2,056
Kleung	0	1	0	0	0	1
Kraol	0	0	320	0	2,635	2,955
Kravet	1,726	2,205	0	0	0	3,931
Kreung	14,877	159	5	0	0	15,041
Kuy	0	1	0	4,536	546	5,083
Lun	0	273	0	0	0	273
Mel	0	0	0	0	1,260	1,260
Phnong	367	388	18,036	39	3,166	21,996
Poar	0	0	0	316	0	316
Rhade	0	0	10	0	0	10
Roong	0	0	5	0	0	5
Stieng	0	0	536	1	1,612	2,149
Tampuon	22,128	13	70	0	0	22,211
Thmaun	0	0	95	0	619	714
Others	84	5	22	3	7	121
Total	64,037	3,270	19,229	4,903	9,845	101,284

Source: National Institute of Statistics, National Population Census 1998.

the highland areas. This slave trade continued until the 19th century, with representatives of the Thai, Lao, and Khmer empires raiding hill-tribe villages (White, 1996).

During the French colonial period, huge rubber plantations developed in this area, especially in Labansiek. Indigenous peoples were employed to work in the plantations and in construction work (Sugiati, 1997).

In 1959, the province of Ratanakiri was created in what had been the eastern area of Stung Treng Province, closely followed in 1960 by the creation of Monduliri Province in the eastern area of Kratie Province. This period marked a significant turning point in the history of contact between the highlanders and the Khmer lowlanders, because the Government started introducing Khmer culture to indigenous peoples.

Groups of Khmer soldiers and their families were posted to the new provinces to implement a general policy of integration of the hill-tribe peoples into Khmer society. Khmer from Takeo, Svay Rieng, and Prey Veng were asked to settle in Koh Nyek district, Monduliri, in order to constitute a model village called Phum Sre Sangkum. Several indigenous villages were displaced and rebuilt, e.g., the Brao and Kravet ethnic groups from north of the Se San River were relocated along the river to encourage lowland rice farming. Education and economic development programs were carried out that aimed to settle the hill tribes and transform both their existing methods of agriculture, which were considered environmentally destructive, and their general lifestyle, which was seen as backward (White 1996). However, some villagers remembered this period very negatively as a time when they "had to do like Khmer," stating that they preferred the relative freedom they have experienced in more recent years (Bourdier, 1996).

In 1970, the United States began massive bombing in the area. The northeastern region was under the control of the Khmer Rouge and became the scene of bloody fighting, especially along Road 19, still called Ho Chi Minh road. Most villagers fled to the forest to avoid the bombing. The Khmer Rouge ordered the inhabitants of some villages to build bunds for lowland rice farming.

After the Khmer Rouge came to power, markets were closed, possessions were confiscated, and cultural practices and speaking local languages were forbidden. In Ratanakiri, some villages were moved to Lum Phat, while in Monduliri, most of the upland villages were moved to Koh Ngek to develop lowland rice fields. In 1979, many indigenous peoples, especially people who lived not far from the border, fled to Viet Nam and Lao PDR.

After the defeat of the Khmer Rouge by the Vietnamese, most villagers returned to their ancestral land and rebuilt their life as it was before the events. Many tried to continue rice farming. Because of poor geographical location and lack of draft animals, some went back to traditional upland farming methods.

The Government asked people to remain close to the river and roads, not only to avoid the Khmer Rouge but also to bring the indigenous peoples into the mainstream of society. They were encouraged to stay in these areas and farm rice. At the same time, the Government encouraged lowland Khmer to migrate to less populated highland areas, especially in Ratanakiri. This trend of immigration by the lowland Khmer to the highlands, in particular to populated areas such as Banlung and Sen Monorom, has increased and continues to the present.

After the first national elections, when the security situation began to improve, some lowland Khmer in Banlung and Sen Monorom began commercial farming of kapok trees and crops such as coffee and cashew nut. This has caused land conflicts with resident Phnong, Kreung, and Tampuan ethnic groups.

The rich natural resources of the highlands, the forests and fertile soils, have provided opportunities for logging, agriculture, and tourism that have attracted national and international investors. However, forest concessions and immigration have increased the number of land disputes and led to reduced access by the indigenous peoples to the nontimber forest resources. Their social and physical environment has been damaged.

3 LAWS AND POLICIES RELATED TO INDIGENOUS PEOPLES

CAMBODIA AND INTERNATIONAL HUMAN RIGHTS CONVENTIONS

Cambodia has acceded to a number of international human rights conventions, such as the International Covenant on Civil and Political Rights, and International Convention on the Elimination of All Forms of Racial Discrimination. By acceding to these conventions, Cambodia is obliged to ensure that all rights enumerated under them are realized for all people, including indigenous peoples, living in Cambodian territory.

There are also two specific international documents with regard to indigenous peoples: the International Labour Organization (ILO) Convention (No. 169) concerning indigenous and tribal peoples in independent countries and the UN General Assembly Declaration of the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. These will be considered for ratification, because Cambodia is a member of the United Nations.

ETHNIC MINORITIES AND THE CAMBODIAN CONSTITUTION

Article 32 of the Constitution of the Kingdom of Cambodia states:

Khmer citizens shall be equal before the law and shall enjoy the same rights, freedom and duties, regardless of their race, color, sex, language, beliefs, religions, political tendencies, birth origin, social status, resources and any position.

In the debate on the Constitution in the National Assembly, the representatives discussed and debated the definition of Khmer citizens. It was agreed that the term included some Cambodian ethnic minorities, such as the hill-tribe people known as Khmer Leu and the Khmer Islam (ICES and Minority Rights Group, 1995).

INTER-MINISTERIAL COMMITTEE FOR HIGHLAND PEOPLES DEVELOPMENT

The Inter-Ministerial Committee (IMC) for Highland Peoples Development was formed by the Royal Government of Cambodia in 1994, at the same time as the Highland Peoples Programme (HPP) of the United Nations Development Programme (UNDP) was established. To assist and coordinate the ministerial members of the IMC, a secretariat was created. At present, it is based in the Ministry of Rural Development. Current members of the IMC are the Ministry of Rural Development (MRD); the Ministry of Agriculture, Forestry, and Fisheries; the Ministry of Education, Youth, and Sport; the Ministry of Health; the Ministry of Public Works and Transport; the Ministry of Social Affairs, Labors, Vocational Training and Youth Rehabilitation; the Ministry of Women's and Veterans Affairs; the Ministry of Environment; and the Cambodian Mines Action Center.

Indigenous peoples are present in many provinces of Cambodia. The IMC selected the northeastern provinces (Ratanakiri, Mondulhiri, Stung Treng, and Kratie) as priority areas for development because of the large number of highlanders and diversity in the ethnic populations. At present, IMC is the main body representing the Government in coordinating activities

with those national and international institutions working in the northeastern provinces of Cambodia. The IMC has been actively collaborating with NGOs and UN projects in the northeastern provinces.

Recently, the Government created the Department of Ethnic Minorities Development under MRD to follow up IMC recommendations. The role of the new department is mainly in short-, medium-, and long-term planning of ethnic minorities development; improving the current draft policy for highland peoples' development; conducting research on identity, culture, and traditions of ethnic minorities in Cambodia; and providing training for development workers in cooperation with different local and international development agencies in the mountainous and highland areas. However, the IMC is still playing an important role in assisting the new department and in monitoring and evaluating its activities.

There was a general opinion among the stakeholders that a well functioning IMC was of central importance. The Committee should take stronger steps to improve the lives of highlanders through livelihood initiatives and in securing their use and management of natural resources. The National Policy Guidelines will be a basic principle to achieve sustainable development for indigenous peoples. The Guidelines include the recommendation, among others, that highland peoples have the right to participate in and to be consulted on all decision making, plans, and projects that affect their lives and communities.

CURRENT POLICIES TOWARD INDIGENOUS PEOPLES

Despite the guarantees in the Cambodian Constitution and the existence of the IMC, the Government does not appear to have an active policy toward ethnic minorities. Many constraints limit access by ethnic minorities to government services.

During the United Nations Transitional Authority of Cambodia (UNTAC) period, from late 1991 to 1993, and for some time after, there were debates about the kind of development that would best benefit the indigenous peoples in the highland area, but there was only a small group of IOs and NGOs working in the northeast. Also, although there was local collaboration,

there was no coordinated effort to endorse the formulation of a policy for the development of Cambodia's highlands.

In June 1995, *Coopération Internationale pour le Développement de la Solidarité* (CIDSE) organized and coordinated an international seminar in Phnom Penh on Sustainable Development in Northeast Cambodia. The seminar was sponsored by MRD and the IMC and raised a number of policy recommendations.

In February–March 1996, the International Development Research Centre (IDRC) of Canada, Cambodian Rehabilitation and Regeneration Project (CARERE), CIDSE, Health Unlimited (HU), and Oxfam jointly organized an International Seminar on Sustainable Development in Northeast Cambodia, held in Banlung, Ratanakiri. That seminar produced a draft policy document, which has been refined and further developed with assistance from the HPP and a task force of IOs and NGOs interested in the area.

In 1997, the IMC submitted to the Government draft general policy guidelines for development of highland peoples. The draft was the result of a series of workshops, held in Cambodia and in Thailand in the HPP Phase I.

The IMC general policy was drafted to respond to the needs of indigenous peoples in protecting their rights, culture, and natural resources, as well as for sustainable development in the area. The policy is expected to be used as guidelines for highland peoples' development. The draft policy states that all highlanders have the right to practice their own cultures, adhere to their own belief systems and traditions, and use their own languages; further, the Government should strongly encourage and support local organizations or associations established by highland peoples. In all legal and administrative matters, all persons belonging to highland communities and living in Cambodia should be considered and treated as Cambodian citizens, with the same rights and duties (IMC, 1997b). This essentially confirms the intent of the Cambodian Constitution. The draft IMC general policy also includes policy guideline for highland peoples' development in different domains, from environment to infrastructure.

Unfortunately, the IMC draft policy has not been approved by the Council of Ministers yet. The main constraint is that many statements of the general policy relate to traditional land and forest use rights of indigenous peoples, and such rights were not

guaranteed by the Land Law or Forest Law at the time of submission of the policy. However, the Land Law was approved by the Parliament and Senate in July and August 2001, respectively, and signed by the King on 30 August 2001; the Forest Law has been approved by the Council of Ministers and sent to the National Assembly for approval.

GOVERNMENT POLICY AND STRATEGIES TOWARD POVERTY REDUCTION

First Socioeconomic Development Plan (1996–2000)

The Government has been taking poverty reduction into account since its formation after the 1993 national elections. Poverty reduction is included in the national First Socioeconomic Development Plan (SEDP I, 1996–2000), which was prepared and implemented within the context of a new market orientation of economic activities.

SEDP I focused on improvement in the formal health and education systems, rural water supply, and sanitation programs by the year 2000. A review of SEDP I showed progress and positive impact; however, it did not provide adequately for monitoring and evaluation of plan implementation, and a more consultative and participation process has been found desirable.

After the second national election, in 1998, the Government introduced the “Triangle Strategy” that focused on economic development as a tool against poverty. The three angles of the strategy are (i) restoring stability and maintaining security in the country; (ii) integrating Cambodia into the region and normalizing relationships with the international community; and (iii) introducing a government program of reforms in the armed forces, public administration, the judiciary, and the economy.

Interim Poverty Reduction Strategy Paper

The government’s poverty reduction policy is intended to provide opportunities and security for the poor, to strengthen their capability, and to empower

them. The Government has identified the poor as people lacking income-generating opportunities, those who are vulnerable (isolated ethnic minorities are included in the vulnerability definition), those with low capabilities, and those who are excluded from society.

The government policy toward these four dimensions of poverty seeks to

- promote opportunities through stabilizing the macro-economy, promoting private-sector development, improving infrastructure, and implementing land-use policies;
- create security by providing access to microcredit for the poor, protecting the environment, and clearing land mines;
- strengthen capabilities through increasing public spending on health, education, agriculture, and rural development; and
- generate empowerment by improving the governance system, combating corruption, improving law enforcement, and fostering an enabling environment for NGOs.

Socioeconomic Development Plan II (2001–2005)

The Socioeconomic Development Plan II (SEDP II) was developed by incorporating the key findings from SEDP I and the Poverty Reduction Strategy Paper, as well as the results of a nationwide Participatory Poverty Assessment and consultation with many stakeholders.

SEDP II requires the achievement of four development objectives: broad-based, sustainable economic growth with equity at a rate of 6%–7% per year; social and cultural development; the sustainable management and use of natural resources and the environment; and improvement in governance. SEDP II also contains sectoral plans in agriculture, rural development, health, and education, which will achieve synergy in contributing to poverty reduction.

Specific strategies related to indigenous peoples include building or rehabilitation of the main road infrastructure; promoting agricultural development and

off-farm employment in both urban and rural areas; and empowering the poor to participate in and benefit from the growth process by improving their access to natural assets such as land, health and education services, appropriate technology, and credit.

Laws Relevant to Poverty Reduction of Indigenous Peoples

In accordance with the poverty reduction policy, the Government has adopted governance reform, including juridical and legal reform aimed to establish fairness and predictability of the basic rules.

Land Law

Among the legislation and policies governing land use in Cambodia before 2001 are the Land Law, passed by the State of Cambodia on 11 August 1992 and the "Enforcing Instruction No. 3 of the Principle for Possession and Use of the Lands," passed by the Council of Ministers on 3 June 1989. In addition, 1989 subdecree No. 25 provides for ownership rights over residential housing.

Under the system from 1989 to 1992, people who had occupied property for at least one year could apply for certificates for the right to occupy and use the land. The applicant would fill out a form, identifying neighbors on all sides, which would be signed by the commune or district chief. A temporary receipt would then be issued for possession.

In 1990, the State of Cambodia created a Cadastral Department, which was initially under the administration of the Ministry of Agriculture and then directly under the Council of Ministers. A new application form was created for people to apply for new certificates of possession, not only for residential land, but also for agricultural land.

The 1992 Land Law is mainly based on the culture and land-use practices of lowland Cambodians and does not reflect the communal land management practices of indigenous highland peoples. In response to increasing concerns being raised on highland land issues, a workshop on "Land Security for Ethnic Minorities in Northeast Cambodia" was held in March 1997 in Ratanakiri. The central theme of the workshop was how to provide security of land tenure for swidden

farmers under the existing 1992 law and the present development situation. The discussion raised two models for land security: individual and communal land titles.

Meetings/workshops were held at the grassroots, provincial, and national levels between 1995 and 1999. Participation of indigenous communities enabled them to contribute ideas and empowered them toward decision making and self-determination. The meetings helped build relationships between indigenous communities and government structure. Most discussions at the meetings focused on the security of land use and the sustainability of forest use for indigenous communities. The main thrust of the recommendations was that the land tenure rights of indigenous communities should be recognized by the national Government.

In order to make sure that recommendations from the many meetings between 1995 and 1999 would be recognized in law, two working groups of IOs and NGOs, one at the provincial and one at the national level, were established (in 1998).

The provincial working group, based in Ratanakiri, consisted of local authorities, UNDP/CARERE, IDRC, Non-Timber Forest Products, ADHOC, CIDSE, and HU, and had three important roles:

- to collect and study information on traditional land and forest use by indigenous communities;
- to collect feedback from indigenous communities for discussion and verification on appropriate solutions on land and forest issues for indigenous communities, and how these can be covered in the Land Law; and
- to ensure that the report from all consultations is properly endorsed for presentation at the national level.

The working group in Phnom Penh, consisting of Oxfam, Asia Foundation, the United Nations Commission on Human Rights (UNHCR), and Legal Aid of Cambodia, worked with a UNDP legal consultant to draft a section of land rights for indigenous communities to be included in the land law. The ideas for this section arose from the participation of the working groups and the UNDP legal consultant in the workshops.

In March 1999, IMC organized a national workshop on “Land Use and Management of Land and Forest Resources of Highland Communities in Northeast Cambodia,” the objectives of which were (i) to explain the situation related to land use and land management, as well as the use of natural resources by the highland communities in northeast Cambodia; (ii) to highlight the strategies for providing security in the process of using natural resources and land appropriate to the needs of highland communities and to the development principles of the Government; and (iii) to analyze existing laws for contributions to the security of highland communities in their use of natural resources.

On 29 March 1999, during a meeting with representatives of the Council of Ministers, it was agreed that a chapter on indigenous peoples’ land rights could be included in the revised Land Law. Working group members consulted again with local communities and met several times with an ADB consultant team. In February 2000, the ADB Land Law consultant team agreed on the draft chapter on land rights for indigenous communities and on submitting it to the Government.

In late 2000, the Government set up a Council for Land Management Policy and issued its Statement on Land Policy. The objectives of the Statement were (i) strengthening land tenure security and land markets, and prevention of or solving land disputes; (ii) managing land and natural resources in an equitable, sustainable, and efficient manner; and (iii) promoting land distribution with equity.

After an intensive period of study and public debate, an ADB-funded draft Land Law was approved by the National Assembly and the Senate and signed by the King (August 2001). The law includes a special section on “immovable properties of indigenous ethnic minorities”¹ consisting of six articles, protecting the rights of indigenous peoples in accessing their traditional land.

The first article (art.23) concerns the definition of indigenous communities. The definition of indigenous ethnic minorities excludes some ethnic groups that do not use land collectively.

The second article (art.24) defines membership of an indigenous community.

The third article (art. 25) concerns the lands of these communities, which are those lands where the said communities have established their residence and/or where they carry out agricultural activities. They include not only lands actually cultivated but also reserved land (current fallow areas) and land for rotation of upland fields as required by the agricultural methods they currently practice. The extent of these lands derives from the current factual situation as determined by testimonies of the communities themselves and of neighboring communities, a process that has been mediated and endorsed by the local administrative authorities.

The fourth article (art. 26) defines the collective ownership of immovable property of indigenous peoples and its management:

Ownership of the immovable properties described in Article 25 is granted by the State to the indigenous communities as collective ownership. This collective ownership includes all of the rights and protections of ownership as are enjoyed by private owners. But the community does not have the right to dispose of any collective ownership that is State public property to any person or group.

The exercise of all ownership rights related to immovable properties of a community and the specific conditions of the land use shall be subject to the responsibility of the traditional authorities and mechanisms for decision-making of the community, according to their customs, and shall be subject to the laws of general enforcement related to immovable properties, such as the law on environmental protection.

The fifth article (art. 27) is about the right of individual ownership of an adequate share of land used by the community:

For the purposes of facilitating the cultural, economic and social evolution of members of

¹ Unofficial translation of Land Law 2001 prepared by the Ministry of Land Management, Urban Planning, and Construction.

indigenous communities and in order to allow such members to freely leave the group or to be relieved from its constraints, the right of individual ownership of an adequate share of land used by the community may be transferred to them.

Immovable property that is subject to such private individual ownership cannot fall under the general definition of public properties of the State.

The last article (art. 28) describes the absolute right of indigenous peoples to immovable property:

No authority outside the community may acquire any rights to immovable properties belonging to an indigenous community.

Forestry Law

The most significant provisions in the Forestry Law applicable to concession management and control are the following.

- Decree (*Kret*) No. 35 KR.C. of 25 June 1988 (about rules of harvesting and transportation of forest products as well as the institutions that carry out the control and permission tasks).
- Regulation (*Prakas*) No. 049 SSR of September 1986 (on conditions of harvesting).
- Regulation (*Prakas*) No. 035 SSR of 30 May 1988 (on forest clearing conditions).
- Decree (*Kret*) No. 11 of 20 May 1991 (on rights for harvesting forest products).
- Decision (*Sechkdei Samrech*) No. 05 of 7 January 1995 (on conditions for export of logs and sawn timber).
- Declaration No.02 DRGC of 26 December 1996 (further defined by the Ministry of Agriculture, Forestry, and Fishery (MAFF) Declaration No. 074 of 26 February 1997) (on prohibition on exporting logs and sawn timber and the permission to do so, referring to a January 1995 Decision).

- Government Order No. 5 of 1997 (on the abolishment of issuance of collection permits).
- Government Order of January 1999 (on elimination of illegal forest activities and establishment of the forest enforcement system).
- Subdecree on concession management No. 5, 7 February 2000 (on the establishment of the basis for requiring concessions to be managed in a sustainable manner).

Contributions to the Forestry Law were made by ADB, the World Bank, and NGOs. With technical assistance from ADB (Sustainable Forest Management Project), the Department of Forestry and Wildlife (DFW) under MAFF prepared a draft Forest Law in 1999, building on an earlier draft made with help from the Food and Agriculture Organization of the United Nations. MAFF reviewed the draft Forest Law following several public forums and consultations.

The World Bank's involvement in the forest sector included the Bank-led Forest Policy Assessment of 1996, the Bank-financed Technical Assistance Project of 1997–1998, as well as a part of the structural adjustment credit program linked to the drafting of the Forestry Law.

The draft Forest Law has been approved by the Council of Ministers and sent for approval from the National Assembly. Although customary users' rights are protected, two main problems remain: (i) community forestry shall be demarcated and managed according to a specific plan to be approved by DFW, which would cause difficulty for the indigenous communities who have to prepare such plans; (ii) no commercial transactions are allowed, which means that users' rights are limited and access to the forest resources by rural people would be restricted.

The Land Law is the primary law defining the legal regime of immovable property rights in Cambodia. The Forest Law is one of a suite of laws related to specific kinds of state land (forestland) in Cambodia. Thus, the Forestry Law must be in conformity with the legal principles of property rights set out in the Land Law.

4

PROGRAMS AND PROJECTS FOR THE DEVELOPMENT OF INDIGENOUS PEOPLES

Poverty alleviation and the improvement of the Cambodian people's quality of life are priorities for the Government. However, development of one or another sector may reach only some segments of the society, usually mainstream society. Nationwide-oriented economic development policies may put more pressure on indigenous societies to distance themselves from their traditional way of life.

In the highland area where most of the indigenous peoples in Cambodia reside, NGOs/IOs have been carrying out in recent years development programs that address the needs of people including the indigenous population. The CAREERE Project in Ratanakiri is attempting to build up the capacity of indigenous peoples in planning and governance for their local communities to support the decentralization policy of the Government through participation from low to high levels, including gender consideration, nonformal education, and natural resource management issues. CIDSE takes care of the integrated aspects of development; HU is working on health throughout the province; NTFP takes care of land and forest resources with respect to nonformal education; and International Cooperation for Cambodia is working on health care in some targeted areas and on education in the minority languages. These NGO programs have direct impact on the indigenous communities in Ratanakiri.

In general, it can be said that there has been some progress in improving the livelihood and capacity building of indigenous peoples, but not full satisfaction, because the programs/projects of each NGO/IO have not fully responded to their needs or solved all their problems.

For instance, participation of indigenous peoples in the projects has been limited to representatives of different levels. Participation by indigenous women has not been equal to that of men; despite much training on gender issues provided by NGOs/IOs, men do not support or respect women in meetings. Decision making is done by only a few strong indigenous people representing a village. Many indigenous peoples cannot speak or understand the Khmer language.

Also, development workers from the NGOs/IOs are not always good facilitators with indigenous communities. They explain to the people what they know from the project and do not give enough opportunity to the people to speak out. Some development workers do not respect the rights of indigenous peoples because they think that indigenous peoples know nothing.

The main problem for development in the local community is language. Some NGOs/IOs have paid attention to this problem. It is very important for indigenous peoples to understand what the development workers are saying and to be able to contribute their own opinions.

For example, an advocacy working group managed by a foreigner did not empower the indigenous peoples' representative to play the role of owner of the advocacy project. The project had no clear criteria for appointing an indigenous person to lead the project. Some NGOs/IOs have not had good relations with the Government. They have used indigenous peoples as intermediaries on issues that the NGOs/IOs want to implement. Sometimes the indigenous peoples do understand the issues, but at other times they can only repeat what the NGOs/IOs have explained to them. This is a challenge for the future in terms of capacity building.

THE SEILA PROGRAM

Originally, the SEILA (a Khmer word approximately meaning “cornerstone” program was introduced as a new pilot approach to rural development in which the improvement of local governance was seen as the key to decentralization. A hierarchy of provincial, district, commune, and village development committees was set up. The commune and village development committees were formed through local elections managed by the community.

The SEILA program was supported by CARERE, which established provincial support offices in 3 northwestern provinces (Battambang, Banteay Meanchey, and Pursat) in 1992 to assist resettlement and reintegration efforts of refugees. The program expanded to Siem Reap and Ratanakiri by late 1995. It has contributed to the government policy of decentralization and deconcentration by defining and testing systems for planning, financing, and delivering services and investments for local development. Recently, it has been extended to cover 12 provinces. Some 2,800 villages have benefited from this program; in particular, 177 villages in Ratanakiri. Apart from local planning, development of an integrated approach to community-based natural resource management began in 1999 in 13 communes of Bokeo and O Yadao in Ratanakiri.

The primary focus of the program has been to promote an integrated approach. The other focus has been to draw the attention of the provincial and national authorities to facilitate and endorse this approach to sustainable management. The program has highlighted how closely linked the livelihoods of indigenous people are with the natural resources around them. The integrated approach combined several interventions such as nonformal education (NFE), agriculture, animal production, community forestry, small-scale infrastructure, and agroforestry.

Capacity building in the SEILA program has been a comprehensive continuous process involving formal training, on-the-job training, learning by doing, and regular evaluation. The primary areas of capacity building related to good governance include planning, financial management, contract design and administration, budgeting, procurement and competitive bidding, facilitation, monitoring and evaluation, gender

awareness, the role of the private sector, human rights, and reconciliation.

The SEILA program has provided an example of multilateral and bilateral government partnership with funding agencies. It has contributed to poverty reduction by providing much needed capital for investment in public services and infrastructure, and improved the local governance.

UNITED NATIONS DEVELOPMENT PROGRAMME

Development of Highland People through Participatory Capacity Building

This UNDP regional project included four countries: Cambodia, Lao PDR, Thailand, and Viet Nam. The overall development objective was to improve the lives of highland peoples by assisting government, NGOs, and the communities themselves to use available resources more effectively in planning and carrying out highland development efforts in a highly participatory manner. Duration of the project was 1993–1996. Activities included training and study trips, establishment of databases and resources on highland peoples, and workshops and meetings.

As a result of the project, highlanders have increased their capacity and self-confidence in planning and managing their own development. National focal institutions, which have overall responsibility for coordination, monitoring, and policy for highland peoples’ development, were strengthened. Dialogue and interaction between the support structures of highlanders and government have grown. About 2,500 people received training through workshops, meetings, study tours, and formal training; 62% were highland villagers and 38% were government and NGO personnel.

Women’s conditions and role were strengthened in the pilot villages. They attained substantial representation in village development committees (VDCs) and can now influence planning and implementation activities in the villages. The improvement of the water supply had a positive effect on women’s workload and the general health situation. Although generally illiterate, they participated in NFE

programs. They have also been active users of the credit system to develop income-generating activities.

Reducing the Workload of Hill Tribe Women in Ratanakiri

This project sought to improve the status of women in Ratanakiri by reducing their daily workload and increasing their opportunities in decision making, education, and income generation through formation of a women's group, exchange visits, monitoring, and interaction with VDCs.

Skills Improvement

An NFE project in cooperation with CARERE, Ratanakiri, was implemented to support the Ministry of Education, Youth, and Sport, with the objectives of reducing illiteracy and improving the general knowledge and development skills of 625 persons in 25 villages within 6 communes in 3 districts; and increasing the capacity of the district facilitators and an interdepartmental provincial rural development committee (PRDC)/NFE working group.

In December 1995, the pilot NFE project (RAT/ED/9506) was initiated with provincial Departments of Education, Youth, and Sport. Ten pilot villages were selected in 6 districts and classes were established. This was later expanded to a further 10 villages in 1997. The impact of NFE has been strong. All teachers were unanimous that NFE was important for the development of their village. Before NFE, few villagers were able to read, write, or calculate and did not know about hygiene, health, environment, agriculture, animal health, or gender issues. Teachers in all the villages were keen to continue and were highly motivated. The knowledge gained by NFE students has been passed on to their families.

WORLD BANK

Disease Control and Health Development Project

The World Bank supported the Ministry of Health to implement a project on disease control and health

development in 10 provinces of Cambodia, including 2 northeastern provinces, Kratie and Ratanakiri. The project aimed to support the Government in pursuing two of its principal health-sector objectives: reduction of death and sickness from preventable diseases, especially malaria, tuberculosis, and HIV/AIDS; and rehabilitation of the health system infrastructure to deliver basic health services and disease control programs more effectively down to the community level. In all cases, financing was directed to areas where available financing from the Government and other aid agencies fell short of projected needs. In health services, the project upgraded facilities, media equipment, furniture, and transportation; and provided essential drugs and in-service training.

Northeast Village Development Project

The Northeast Village Development Project (NVDP) is a community development project with the objective of introducing decentralized, participatory, and poverty-oriented rural development approaches in 12 districts of 4 provinces: Kampong Cham, Kampong Thom, Kratie, and Stung Treng. The 5-year program began in 1998. The implementation phase was from July 1999 to October 2001.

The project has two main components. The first, participatory planning and investment, began with the formation of VDCs and appraisals in approximately 120 villages, to identify subprojects for financing. Grants were to representative local communities, mainly for infrastructure improvement and village economic development.

The second component, institutional strengthening and project management, consists of training courses; establishment of a project management information system; participatory evaluation studies of project performance and impact; preparing feasibility studies for a follow-on project; review where necessary of subproject design and supervision of construction; and independent, annual financial audits.

Social Fund Project

This World Bank project sought to support the government's policy of poverty reduction through

- financing small-scale projects for the rehabilitation and reconstruction of social and economic infrastructure, and other socially productive activities;
- creating short-term employment opportunities;
- expanding community opportunities to identify local development needs and manage small-scale development projects; and
- increasing line-ministry experience and capacity in developing investment criteria for local infrastructure construction.

It consisted of two components: social fund seed capital for social and economic infrastructure, social services, and equipment; and institutional support in salaries, vehicles, and operating expenses, as well as technical assistance and training.

WORLD HEALTH ORGANIZATION

The World Health Organization, in cooperation with the United Nations Children's Fund (UNICEF), UNDP, and the Overseas Development Administration of the UK, supported the Cambodian Ministry of Health (MOH) in two projects. First was Phase II of the project entitled Strengthening the Health System, the overall objective of which was to assist MOH in the structural and functional reform of the health system to ensure the effective use of existing resources and to access complementary resources for improved health services. Phase II was from 1995 to 1997.

The second project was on Health Sector Reform (Phase III, 1998–2000), on the development of quality basic health services, particularly in rural areas. The project provided wide-ranging technical support at all levels of the health system. The Phase III Project was to increase the capacity of MOH managers, phase out long-term, in-country technical support, and increase direct resource and budgetary support to the sector. The intended end point of the project was the development of an MOH-managed sector-wide approach to health sector management.

UNITED NATIONS CHILDREN'S FUND

UNICEF, in cooperation with the Swedish International Development Cooperation Agency, supported the Ministry of Education, Youth, and Sport in an education program. The program, which operated from 1996 to 1998, had four main projects: capacity building through formal and nonformal education; curriculum and textbook development; education management information systems development; and increasing the range of educational services in communities, especially to youth and women.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

UNESCO's Principal Regional Office for Asia-Pacific Region supported the Provincial and District Education Service of the Non-Formal Education Department in a one-year (1996–1997) "Pilot Project on Adult Literacy for Disadvantaged Groups in Rural Remote Areas in Ratanakiri Province." The objective of the project was to provide functional literacy skills through income-generating activities that are responsive to the learning needs and condition of the sociocultural environment in order to improve the quality of life.

The project targeted areas where there are no formal schools. The target population was children of primary school age, youth who had never been to school, and adult illiterates (especially women). The project focused on 6 hill tribes: Tampuan, Jarai, Kreung, Brao, Kachak, and Kravet. The project sought to assess the need for NFE materials; organized a workshop on literacy materials development, and trained instructors and supervisors in Ratanakiri Province; and held open literacy classes in 10 villages.

PARTNER FOR DEVELOPMENT

Partner for Development is a US nonprofit organization that has been working in community development in Stung Treng and Kratie provinces since 1992. The organization is working toward stabilizing and

revitalizing social and economic structures by promoting greater community self-reliance through formation of VDCs; improving rural water supplies; improving environment sanitation through school and family latrine programs; facilitating community infrastructure; promoting food security and child nutrition through a “rice bank,” education, and family gardening; developing community and school-based health education programs; and promoting private sector development.

There have been 238 VDCs formed and 1,335 VDC members trained in development principles. The rural health activities include child survival, reproductive health, and malaria control programs.

MÉDECINS DU MONDE

Médecins du Monde (MDM) is an international organization working in the health sector in Monduliri Province, where its 3-year project “Support for Primary Health Care in the Monduliri Province” covers around 45% of the province.

The objectives of the project are to improve the efficiency of health services in the five districts of the province as well as access for the rural population to primary health care. MDM has also improved the understanding of the ethnic minority population with regard to access to the health care system and health education, and has supported the supply of medicinal drugs to these districts.

NOMAD

NOMAD is an NGO working on health and health education issues. NOMAD has been present in Monduliri Province since June 2000 in a project on “Malaria among Phnong People in Monduliri,” in partnership with the provincial health authority and MDM.

MÉDECINS SANS FRONTIÈRES

Médecins Sans Frontières ran a 4-year program, “Rehabilitation of Health in Stung Treng Province,” from

1997 to 2000, to support the Stung Treng hospital and health center in Se San district.

Médecins Sans Frontières was also involved in a project “Kratie Rehabilitation of Health Services,” 1995–1999, to support the Kratie provincial hospital and health centers. After the project ended, another NGO, Health Net International, was to continue the work.

NON-TIMBER FOREST PRODUCTS

Non-Timber Forest Products (NTFP), an NGO, is ensuring indigenous peoples’ rights in protecting and managing natural resources and is recognized by the authorities. NTFP has worked with indigenous communities on community forestry, in managing and using natural resources sustainably; planning in order to secure their land use; a forest concession project, to ensure indigenous peoples’ rights are recognized by concession companies and the Government; and a capacity-building project for indigenous peoples to provide knowledge/understanding on alternative livelihoods.

During the last 2 years, NTFP’s work has resulted in government support for and recognition of the establishment of indigenous communities’ committees (e.g., a committee on community forestry), which the Government had previously not supported. Also, indigenous communities now understand better their rights because they are able to speak out regarding their needs and problems in collecting nontimber forest products. They understand how to discuss, lobby, and advocate concerning natural resource issues.

COOPÉRATION INTERNATIONALE POUR LE DÉVELOPPEMENT DE LA SOLIDARITÉ, CAMBODIA

Coopération Internationale pour le Développement de la Solidarité began in 1994 the “Integrated Community-based Development Program” (ICD) with the goal of improving living conditions in communities, while maintaining a balance between the natural environment and traditional practices. The

strategies to achieve an ICD are community activities that are identified based on the problems and needs of indigenous peoples, with their full participation; and at the district level, participation by staff of district sectors that have been integrated. NFE has played the main role in improving their knowledge of ICD.

HEALTH UNLIMITED

Health Unlimited (HU) is a British NGO that has been working in Ratanakiri since 1990. HU's mission is to support poor people in their efforts to achieve better health and well-being. Priority is given to the most excluded and vulnerable, in particular to indigenous peoples and communities affected by conflict and political instability. HU works with communities on long-term programs to build the knowledge and skills that will enable them to improve their own health and gain lasting access to effective services and information.

HU works in four main areas: community health, strengthening health centers, support to the provincial

health department for training staff on a minimum package of activities, and mother and child health.

In community health, HU has activities in five districts: Koun Mom, O Yadao, Andong Meas, O Chum, and Lom Phat, including 43 target villages. In each village, a committee on health has been set up, consisting of 6 persons. At the district level are district health centers, and in the communes there are commune health posts.

Improvements in health at the village level have included

- strengthening village health committees (VHCs);
- strengthening the capacity of staff to implement VHC activities;
- improving the skills of traditional birth attendants;
- women's health discussion groups; and
- improving linkages between village and district health staff.

5

UNDERSTANDING THE POVERTY CONCERNS OF INDIGENOUS PEOPLES

Trends, Causes, and Perceptions

PERCEPTION OF POVERTY IN THE CAMBODIAN CONTEXT

Poverty is a serious problem in Cambodia. Despite 3 years of strong economic growth, the poverty rate has declined only slightly, from 39% in 1994 to 36.1% in 1997 (Ministry of Planning, 2000).

The first Cambodian Participatory Poverty Assessment (PPA), conducted in 24 provinces and municipalities at the end of 2000 by the Ministry of Planning with support from ADB, has provided a definition of poverty by the poor: Being hungry is the primary concern of the poor. A second major element is that the poorest people have few, if any, assets (e.g., land, draft animals, housing). Land issues are also very important to them; limited land per household, low fertility, presence of land mines, or landlessness. Box 1 provides a background to these factors of poverty.

Other characteristics of poverty offered by the poor in Cambodia include too many children, ill health, lack of kinship support, remoteness, lack of microcredit, lack of potable drinking water, lack of irrigation systems, and lack of confidence in local and provincial administration. The northeastern highland minority participants in the PPA also mentioned that educational opportunities are nonexistent or limited for the poor. Lack of teachers, absenteeism, and poor teacher quality are also identified as problems.

FINDINGS OF THE PROVINCIAL WORKSHOP

As part of the present project, a provincial workshop was held on 21–22 May 2001 in Ratanakiri Province to exchange ideas and experiences related to capacity building for indigenous peoples and poverty reduction in the four provinces in northeast Cambodia; to discuss how to address poverty reduction; and to provide ideas for making action plans for future activities in this area. Participants were representatives of the Ministry of Rural Development, provincial key line departments, NGOs, and indigenous peoples.

Education and health were found to be the basic needs of indigenous peoples in order for them to develop their knowledge and skills to attain secure livelihoods. Education is an important element of capacity building. With regard to health, many indigenous villages are located far from district health centers and commune health posts and have no access to health services. Neither have the villagers money for consultation or buying medicine. Thus, they still practice traditional ceremonies when they are sick.

The need for sustainability of natural resources, on which most indigenous peoples in the province depend, was stressed.

Challenges to the traditional way of life were highlighted at this workshop, particularly the growing immigration of lowland Khmer to Ratanakiri Province, which is increasing the population density and preventing traditional swidden agriculture, as well as

Box 1. A Definition of Highland Poverty

From their very first contact with lowland settlers, highlanders have been made conscious of the material differences between them and their new neighbours. Traditionally, highlander wealth has been stored in the form of prestige goods such as elephants, livestock, antique gong, and rice wine jars. These are still highly prized by most highlanders and play a vital role in religious life (jars of rice wine and gongs are used during ceremonies, and livestock are still the most important of sacrificial offerings). Yet market forces place a very different value on some of these surplus possessions; livestock, for example, are seen as valuable in strictly monetary terms. Still, even today this placing of monetary value of livestock has not yet penetrated to villages to a great extent. Most villagers aspire towards owning as many livestock as possible and prefer to preserve this traditional form of wealth. Their cows and buffaloes are perhaps their most prized possessions and are kept for traditional purposes rather than for monetary gain.

The difference in outlook is often striking: many Khmer are baffled that highlanders do not exploit evident economic opportunities such as selling their cattle or cultivating cash crops on a large scale to ensure a greater income. It is no coincidence that Phnong villagers in Mondulkiri identified the Sangkum period, when they came into more intense contact with the Khmer, as the time when they first started selling their livestock for cash. Such differences reveal how culturally subjective perceptions of wealth, poverty, and what constitutes a “good life” are.

Unfortunately, such differences in perception are not managed with respect. Some highlanders

described how they are made painfully aware that they do not have the material trappings of many Khmer and are even made to feel ashamed of this. As one villager said:

Sometimes they [Khmer] joke with us in a bad way. For example, if I have a chicken to sell and I ask them to give KR5,000 they joke and say no, they will give me one “chi” of gold.... They joke like this and don’t show respect. They treat us like we are stupid. Then if, for example, they have a new Honda bike they say they will sell it to us very cheaply. They know we don’t even have one “chi” of gold. It is bad the way they speak like this.*

This was not identified as a general trait of all Khmer, just a problem with some individuals. One Jarai villager who had married a Khmer recognised that such discrimination came from ignorance. From his experience, he felt that similar problems were encountered by Khmer farming people and their inter-relations with wealthy urban Khmer. The disrespectful attitudes which highlanders mention may stem from the fact that the majority of Khmer who settled in Banlung, the provincial town of Ratanakiri, for example, are relatively wealthy traders, and it is these Khmer with whom the highlanders have the most contact.

Misunderstanding and discrimination may even be exacerbated by the arrival in the northeast of new Khmer settlers from other provinces who have little knowledge of the distinctly different culture of the Khmer-Loeu and are often genuinely shocked at the peculiarities of their lifestyle.

* US\$1.00 = KR3,900 at the time of survey.

Source: White (1996). Reproduced with permission of the publisher—Center for Advanced Studies, Phnom Penh.

causing access problems to nontimber forest products. Indigenous people need education and knowledge about the Land Law and their rights. They also lack political and economic power.

LIVELIHOODS OF INDIGENOUS PEOPLES

The livelihood strategy of indigenous peoples is based on agricultural production, comprising slash-and-burn (swidden) cultivation, wetland rice cultivation, pig and chicken raising, gathering food from the forest, hunting, and fishing. They also undertake a little manufacture and sale of goods and labor work.

Agriculture

Most indigenous farmers in northeastern Cambodia are still using their traditional farming technique—semi-nomadic, slash-and-burn cultivation. Although some of them began lowland rice farming after the integration process in the 1960s, they still keep swidden fields where they farm upland rice and other crops as a form of food security. Very few crops are grown inside the village because it is difficult to protect them from domestic animals, which are usually allowed to roam free. Rice is the central staple crop of the swidden system, but other crops are also grown for subsistence use within the household, including vegetables, root crops, gourds, fruits, and nonfood crops like tobacco and cotton. Animal raising, usually cattle, pigs, and chickens, is done either for sacrifices, income generation, or food.

During the Khmer Rouge period, indigenous people learned that the lowland rice farming technique of their neighboring lowland Khmer provided higher yields and required less work than their highland technique. Some villagers have been developing lowland rice fields with help from NGOs or by imitating others. However, after 1979 some of them reverted to swidden agriculture because of technical or other problems.

The indigenous communities have also been seeking other livelihood alternatives, such as growing fruit trees and other high-demand cash crops like coffee, cashew nuts, green beans, jackfruit, and durian. However, poor road infrastructure and market support have dampened their motivation.

Forest Products

In the highland areas, swidden farming and lowland agricultural practice cannot provide for all the needs of indigenous farmers because of such problems as natural disasters, crop pests and diseases, lack of draft animals, and poor soil fertility. Forest fruits, wildlife, fish, traditional medicines, and construction material complement their crop production. In this way, the forest has played a crucial role for generations of indigenous highland peoples, especially in times of food shortage before a harvest.

Forest vegetables, leaves, and tubers are very important in the diet of indigenous highland communities. Wild tubers have been particularly important during wars when cultivation is difficult, and in years of poor rice harvest. Forest vegetables are mainly for consumption, but some such as bamboo shoots, mushrooms, yams, and the soft part of big rattan (*chong pdao*) are sold in limited quantity by some villagers.

Forest fruits complement the diet in the dry season. Many forest fruits, such as *phniev*, *kampingreach*, *pring*, *kuoy*, *makprang*, *role* or *kulen prey*, are used for family consumption. In Ratanakiri and Mondulkiri malva nuts (*samrong*) are collected by villagers for sale.

Liquid resin (*choar tuk*) and solid resin (*choar chong*) play an important role in household income generation. The earnings are used for buying rice and other necessary foods. Bamboo, rattan, and small trees are used for housing construction and crafts material. Bamboo and rattan are also sold by some indigenous communities.

Wildlife is hunted for food and is a relatively important source of protein, because in the high altitude areas of Mondulkiri and Ratanakiri, there are few fish. In recent decades, wildlife species such as pangolin, monitor lizard, and python have been hunted for sale to buyers in Viet Nam.

WAR AND POVERTY IN THE HIGHLAND AREAS

After the military coup in 1970, the four provinces in northeastern Cambodia were the provinces of the coalition of Viet Cong and Khmer Rouge, the “revolution base” for combating the Lon Nol regime. At the same time, the war in neighboring Viet Nam also had an impact on this region, particularly along the Ho Chi Minh Trail. Bombing by the US Air Force in this area contributed to poverty: the economy was interrupted and most physical infrastructure was destroyed. Many villagers of Kratie, Monduliri, Ratanakiri, and Stung Treng complained that the bombing made people frightened; they had fled and could not undertake farming; life was made very difficult.

Collective ownership under Pol Pot also contributed to poverty. All private property, except for minimal personal everyday needs, was confiscated and considered as government property. In Ratanakiri, 12,231 wine jars as well as 12,245 gongs that the indigenous communities considered to form their prestige and cultural wealth were confiscated by the Khmer Rouge authority (Sugiati, 1997). All people had to work very hard in the fields and suffered from hunger and illness. After Pol Pot was defeated, people returned to their villages and had to start their life anew. In some indigenous communities in Kratie and Stung Treng, where the civil war continued, life remained difficult because of the fighting as well as oppression from the Khmer Rouge who took food from the villages.

CHANGES IN THE HIGHLANDS AFTER THE FIRST NATIONAL ELECTIONS

After the first national elections, the Government declared a free-market economy. Cambodia became linked again to the international community. The highland natural resources, especially of Ratanakiri, and population pressure from the lowlands increased the interest of local and international investors in both timber extraction and industrial plantations for coffee, rubber, palm oil, and soy bean. This has caused a major shift in the use of land and other resources of indigenous peoples.

Customary Natural Resource Management

Highland village communities have their own religious practices, kinship and social obligations, patterns of authority, customary law, conflict resolution, and decision making. Traditionally, indigenous peoples use, maintain, and control natural resources through a system of self-management to support their own subsistence. Now, there is more and more interest in natural resource extraction and many changes are underway.

Most indigenous highland peoples have rules concerning village land used for residence and for cultivation. This land is usually defined in relation to natural objects such as a mountain, stream, river, or other features. The inhabitants of one village may not use land or cut trees in the area of another village; if they do so, the spirits will cause disease or other misfortunes. Intervillage negotiation between elders takes place when the farming plots of villages overlap. Farming is prohibited in the spirit forest.

Villages are moved in special circumstances, such as the government relocation program, war, or disease epidemics. Intravillage disputes sometimes lead to one group moving to a new location.

Issues Related to Land Security

Immigration

Increased migration of lowland Khmer to the highlands caused the population of Ratanakiri to grow by 41% in the 6 years between the UNTAC Population Census of 1992 and the National Population Census in 1998. In Banlung, the population increased by 82% in the same period. The immigrants were mainly from Kampong Cham, Takeo, Kandal, Phnom Penh, and Kratie. The national average population growth during this period was 29%.

A study of immigration in Ratanakiri (Tse and Phalit, 2000) showed that the main reasons were to improve livelihoods, fleeing land loss and poverty, and business ventures. Most felt better off than where they came from, even if they did not meet their aims. It was felt that more immigration to the province had led to indigenous peoples’ wanting more consumer goods. Hence, they needed to sell more land and agricultural

and forest products to purchase these goods. Although the immigrants do not own much land, the indigenous peoples fear that immigration will lead to conflicts and loss of land. The research findings show effects of immigration on cultural practices and tradition such as style of clothing, types of food and housing, taboos and other beliefs, and respect to elders.

Establishment of Reserves

A national park in Veunsai district and a wildlife sanctuary in Lumphat district of Ratanakiri were established to protect forest, wildlife, and tourist sites, but may affect the life of indigenous peoples because indigenous villages are located within the national park and other conservation areas. When a development project or agricultural concession begins, villagers are denied use of some of their ancestral land and may be forced to use resources from protected areas, as was the experience in the palm oil concession in O Yadao.

Hydropower Projects

Several hydropower projects have been proposed on the Se San and Sre Pok rivers and their tributaries. If these projects begin, villagers may have to be relocated to places far from their ancestral land.

Land Use and Sales

Some of the issues concerning land, arising from immigration to highland areas in recent years, are illustrated in the following examples from Tuy village (Box 2) and Kamang village (Box 3).

Similar events have also occurred in areas near Banlung, such as in Phnom village of Yak Lom commune and in Tong Krabou village of O Chum. Together, they demonstrate that the most pressing change facing the highlanders today is the commercial exploitation of the upland areas. Although the impact of this new sphere of interest is only just beginning to be felt in certain areas of the northeast, it is a major trend for the future (White, 1996).

Apart from the official legal complexities, the actual practices that occur imply some informal recognition of highlanders' rights over their farming land. Some villagers have already had the experience of private individuals (in most cases Khmer) seeking to

buy the rights to their fields from them in order to create a commercial plantation. However, the fact that highlanders are not aware of their legal position or the market value of the land they farm leaves them prone to exploitation. In several cases, villagers were misled by individuals who introduced themselves as government representatives. In these cases, even if villagers were reluctant to sell their land they felt obliged to do so, and at a very low price.

The decisions to sell that have been made to date appear to have been made in the belief that the coping mechanism traditionally used by highlanders when land is under pressure from an increased population is still an option. Traditionally, when increased population in an area reached a certain point, villagers would shift their village and farming sites. Similarly, villagers who came into conflict with lowlanders over the encroachment of villagers' livestock on the lowlanders' commercial farms also saw the only choice available to them being to move their village. With the changes underway and planned for the highlanders, this may no longer be a viable option, but villagers remain unaware of this fact.

One case was described in which a private individual had selected an area of forest where he wanted to develop a coffee plantation. This area was the old site of a Phnong village in Dak Dam where sacred trees had been planted. A villager said:

If a villager had cut [trees in] this place the elders would have fined them ever so much. But because it is the Government they will not dare say anything.

Other cases were described of private individuals not associated with the Government who had attempted to cut down sacred primary forest, such as loggers in Stung Treng and commercial farmers in Mondulkiri. Although in some cases offerings to the spirits had been negotiated between village elders and these individuals, this was often not the case. It was believed that this would generate serious implications for villagers, who noted that even if the outsiders remained unscathed, those in the village might still be punished by the forest spirits for these actions.

In situations such as this, traditional customary law and authority are evidently being disregarded or at least undermined. Even if a small offering is negotiated

Box 2. Land Use and Access in Tuy Village

Until 1996, there were vast lands and forests and plenty of wildlife accessible to Tuy villagers. The forest contained different types of precious trees. The richness of natural resources attracted new settlers and logging companies. Between 1997 and 1999, new settlers started to move in to develop agricultural land within deforested areas. There was unrestrained illegal logging in the period 1997–1999.

The major problems faced by villagers in Tuy village directly relate to land pressure: the increasing difficulty in finding good quality land for their swidden fields, declining rice yields, and an increase in weed pests. Land in Tuy village is encroached upon by outsiders/new settlers. Villagers are starting to take protective measures and plant cashew nut or other fruit trees along the main road to prevent outsiders taking possession of fallow land. Most villagers have few opportunities to earn cash income, while life is changing fast in the direction of a money economy. Some families started selling land that originally was perceived to belong to the whole community. Others only sold part of the land that they cultivated and remained in the village. They believe that it is better to sell the land now and

receive some money rather than to lose it later to investors without getting anything. A volunteer teacher in Tuy village said:

At present villagers have not yet a serious problem for using land but the next indigenous peoples' generation will have not enough land for upland rice as well as wet-rice agriculture.

Besides these negative developments, positive trends are also visible. NGOs and international organizations working with indigenous peoples in Tuy village have started to raise awareness of sustainable development among both government authorities and local people through a land rights action research project, raising awareness of the local planning process, etc. A process of consultation to discuss and respond to indigenous peoples' needs and rights has developed between the provincial authorities, NGOs, and representatives of local communities. These exchanges have contributed to an increased understanding and appreciation of the unique situation of Tuy villagers' culture and natural resource use practices.

to be made to the spirits, this is still ignoring the role of some of these beliefs, which is their power of preventing imbalance in the relationship between people and the forest. Villagers are aware of the rules and conform to them. Thus, traditionally the primary forest remained untouched.

Lack of Food Security

The livelihood of indigenous peoples depends mostly on upland rice interspersed, in the same fields, with a number of different vegetable crops and supplemented by fishing, hunting, and collecting forest vegetables and fruits. The low yields, poor weather

conditions, and loss to pests in upland farming plots mean that they will most probably soon face a shortage of rice. Kanat Touch villagers say that lowland (wet-rice) cultivation is now more important because the rice yield is higher and ensures enough rice for the full year. The elders changed their ideas because when they practiced swidden agriculture they had no time for other income-generating activities, and there were 4-5 months of rice shortage each year. A case study in some villages indicated that indigenous people there wanted lowland rice cultivation, but they faced the problems of lack of seed and equipment and poor soil fertility. Also, indigenous peoples cannot leave swidden agriculture immediately, because their diet has long been associated with their traditional mixed crop

Box 3. Land Sales in Kamang Village along the National Road, Ratanakiri

The rapid growth of the Bokeo market and district center has had far-reaching effects on Kamang village. The transformation began in 1998 when the district center of Bokeo was transferred from Andong Meas crossing to its present location along national road No 19.

According to Kamang village leaders, government employees [police officers] in Bokeo district started farming along the national road within the boundary of Kamang under permits from a former district governor. No permission was sought or given by Kamang villagers. When the government workers leave the district, they sell a parcel of land they had received to Khmer buyers, who plant cash crops. The police officers claimed that the district had the authority to allocate the land to them. The Kamang villagers countered that the parcels were old plots under crop rotation. But there was little they could do to get them back.

Since the initial land sales along the road four or five years ago, the numbers of Khmer in the district center have increased steadily, along with the expansion of the Bokeo market. With many Khmer migrants seeking to acquire land for cultivation of crops, the pressure on Kamang villagers to relinquish their land rights has been severe. The land parcels most desired by the Khmer buyers are those located along the road. These can be reached by motorcycle and are directly accessible by transport to either Banlung market or the Viet Nam border.

According to the VDC chief, the amounts received for the sale of land along the road have been

about KR200,000* per hectare. In some instances, land has been sold for as little as KR50,000 per hectare. Some of the Khmer buyers have bought parcels and then extended them into areas that they did not buy. Others have taken and occupied land without paying for it. Most of the land sales have taken place in the last three years and there are now few parcels along the road that have not already been sold. Kamang villagers have dealt independently with buyers and have not consulted with the village chief or elders about the details of their land sale. As a result, it is not clear how many villagers have been involved in land sales and how much they have sold. The village chief identified 35 of 67 Kamang households as having sold land to Khmer buyers. The VDC chief identified 22 of the same 67 households as having sold land.

The village chief, who himself sold one hectare of land in the interior on the village, argues that Kamang villagers with plots along the national road feared that their land would be taken without payment if they did not sell it. This argument expresses the sense of powerlessness and resignation that has come to characterize Kamang villagers in their property dealings with Khmer people. And while the assertion may be overstated, it is not without a measure of truth. In 1997, the district authorities enlarged the area of the district center to include more land along the road that was previously part of Kamang holdings. With the village boundary redrawn, Kamang no longer had claim to the lands that now fell under another jurisdiction.

*US\$1.00 = KR3,900 at the time of the survey.
Source: McAndrew (2000).

cultivation. Another factor is distance: in Lao Ka in Mondulkiri, for example, people prefer upland cultivation rather than working in lowland rice fields 15 kilometers from the village.

In the Phnong communities in Dak Dam, Mondulkiri, the Government encouraged people to start lowland rice farming several years ago, by providing food for work as well as building a small dam and

providing a water pump for irrigation. However, the farming stopped when the dam was destroyed.

Indigenous communities are beginning to understand the significance of planting fruit trees in a plot of land: they can obtain land rights and sell the products.

Not only fruits, wildlife, and fish, but also timber is in high demand and valuable. Since 1997, outsiders have been shooting wildlife for sale. Villagers consequently have difficulty in collecting forest products. The changing view on the value of forest products is demonstrated by a Tampuon man in Tuy village:

Before, we did not know about the value of wildlife. Since outsiders have captured wildlife and taken them in vehicles for sale, many people including provincial official staff, companies, and some villagers see wildlife as equaling money.

Impact of Yali Falls Dam

In the past, the Se San River had a seasonal cycle. Now, however, the water regime changes at any time, rising so fast that people's canoes are overturned and one village has been drowned. The quality of the water has deteriorated, such that drinking it has caused throat pains and stomach ache, while some buffaloes, pigs, and chickens have died from the water. Villagers blame the Yali Falls dam although they have never seen it.

For the past 3 years, floods have come continually and most of the fishing gear of Kanat Touch villagers has been lost in the rising waters. Fish have become scarce and wild vegetables no longer grow along the river banks because the floods have affected the area, even sometimes destroying the rice fields.

The water problem faces all the communities in four districts (Andong Meas, Taveng, Veunsai of Ratanakiri, and Se San of Stung Treng) along the Se San River. The impact was described in an NTFP report after consultation with 59 villages along the River.

The Andong Meas deputy district chief explained that fish stocks in the River had declined a great deal, and were still in decline. He said that before the dam was built, a person could fish for a day or two and have enough fish to eat for a month. Now people fish for a day, and they might only be able to catch enough fish to last that day or just a few days. Sometimes, gillnets and

hooks and lines set out in the evening are found right out of the water in the morning because of sudden and unnatural reductions of the water level, while on other nights fishing lines are washed away when water levels rise quickly. The deputy district chief also explained that much of his lowland rice harvest has been lost in recent years because of unnatural floods in the rainy season. Similar stories were heard from everyone interviewed in Andong Meas (Baird, 2001).

The report of the consultation (Baird, 2001) states that community leaders, including the respected elders, expressed their support for setting up a community network related to Se San River issues. They said that they wanted a chance to have their voices heard. They want the river returned to its natural state. It was agreed that the Se San network should address this important question. They need support from "organizations" to make the network work. They would, for example, like to go to Phnom Penh to tell high officials and politicians about their problems in relation to the Yali Falls dam, but they do not know where to go, or whom they should go and see. The villagers claim to know very little. They need outsiders to provide them with knowledge and to build up their abilities.

Forest Concessions

Forests cover approximately 10.5 million hectares or about 60% of Cambodia's total area (ADB, 1999b). However, around 4.7 million hectares are currently in the concession list of 21 local and international logging companies. About 2.4 million hectares of the concession areas are located in the four northeastern provinces where the majority of the indigenous highland population lives.

Although logging concessions, both legal and illegal, are a major threat to the land and traditional livelihood of indigenous peoples, who are strongly linked to the forests, there are few studies of the impact of forest concessions on their livelihood. One example follows.

At the beginning of 1998, the Government authorized a 25-year timber concession to the Hero company from Taipei, China, to log about 60,000 hectares of forest in 3 districts of Ratanakiri. Almost 10,000 people including Kameng villagers, who are mostly Kreng ethnic group, live in the concession area. If the company

did agree with the Department of Forestry and Wildlife in excluding the areas protected by the communities, it did not fully respect the agreement.

Villagers had been allowed little or no participation in either the planning of the Hero concession or the areas to be logged. In 1999, Hero started to build a road directly into the forest of Svay village (near Kameng village). The spirit forest of Svay village was affected. The two villages continue to protest with no solution forthcoming.

In 2000, Hero continued to encroach on the forest of Kameng village. The company built a road across the upland rice fields of Kameng villagers. However, the villagers stopped the construction before significant impact was made. One Kreung woman, Yiay Lao, said:

There are many kinds of forest products that we use, such as bamboo, vines, rattan, kanma leaves. We Kreung don't have money so we rely on the natural resources from the forest. Cutting the forest has violated our rights. (Report on Logging Destroys Forest and Hilltribe Culture in Northeast Cambodia, by Don Muller, NTFP Ratanakiri).

EDUCATION

Education Status

The education system in Cambodia has undergone severe stress during the last 40 years. In the past, the northeast had a more prominent role in national development policy and many areas were targeted for resettlement by people from populous regions. Sangkum communities made up of such settlers (especially southerners) continue to exist throughout the northeast. Minority populations were also accorded a more distinguished role.

For the hill tribe communities in northeast Cambodia, education activities started in the 1960s when the Government began the first 5-year development plan. The Government provided basic education to the remote communities to promote development and to integrate the rural areas.

Schools that were closed during the Khmer Rouge regime reopened 9 months after that period ended. This quick response to set up, administer, and staff an entire

national education program showed the strong commitment that the Cambodians have to educating their children. The education system has continued to expand since that time.

Literacy rates in Cambodia are still low (62.8% according to the National Population Census 1998), although they have been increasing rapidly and have recovered from the low levels brought about by the Khmer Rouge, but remain low in the northeast, especially in Ratanakiri and Mondulakiri (23.5% and 32.8%, respectively).

Education Problems

Students in the northeast must deal both with the problems that affect the whole country and problems specific to the region. Because of the isolation and poverty of the region, it is difficult to attract and retain teachers. The low education base of the indigenous population also limits the number of people who can be trained. The language barrier is also a factor (Box 4).

Many schools in Ratanakiri and Mondulakiri are not operating because of a lack of teachers or a lack of students. Although there are schools in all districts, these schools are generally clustered around the district and provincial capitals, making access difficult for many students.

Unlike lowland children, many highland children do not speak Khmer at home, putting them at distinct disadvantage when they enter school, where lessons are taught in Khmer.

In the formal education system, indigenous children are less likely to go to school than the average Cambodian children. Some reasons include (i) the low standard of living of indigenous peoples, so that in many cases the opportunity costs are too great (children are required to help in the field and look after siblings or animals, while the planting and harvest season needs intensive work in which all the household members must assist, such that during these times many children drop out of school); (ii) the schools are often far from their homes; (iii) there is a lack of learning materials; and (iv) many people cannot afford school uniforms for their children. The high cost has to be compared with the benefits of education, which appear to be low in the highland area.

Box 4. The Language Barrier

Language can pose a critical barrier to mutual understanding. Very few Khmer can speak any highland languages (a few Khmer who have been living in the northeast for a long period can speak some local languages, and only then at a very basic level), yet the common assumption is that these languages are very simple and because there are many Khmer terms that have no equivalent in these indigenous languages, they are not “developed.” Likewise, there are many terms in highlander languages revealing indigenous knowledge and concepts bound up within their own environment, yet this is given no recognition or value. The fact that it is difficult for highlanders to find appropriate direct translations to express their ideas and concepts leads to poor understanding among outsiders as to the real nature of the societies and their wealth of expressions, an area which deserves considerably more research.

The language issue also raises other problems. While some highlanders (especially men) speak Khmer, most do not. This depends on the peculiarities of the education system in their region and the nature of a group’s contact with Khmer. In Mondulkiri, for example, many Phnong men and women were found to speak Khmer (and even some French), and this appears to be partly because of the more extensive education system available when they lived under the jurisdiction of Kratie Province, followed by their intense contact with Khmer since the *sangkum* period. Highlanders see the importance of learning Khmer and are interested in sending their children to study Khmer, if only for the one perceived advantage it offers them, of being able to trade on a more equal basis with Khmer. But teachers are not

locally available in the numbers required. The continued limited grasp of Khmer by highlanders can lead to some misunderstandings and problems in interrelations.

Concepts in the Khmer language as used by Khmer are very telling in terms of interethnic relations and concepts of difference. The distinction between Cambodian (nationality) and Khmer (ethnic group) is not apparent in the everyday speech of Khmer. For example, Khmer people constantly refer to themselves as *khmae-yeung* (we Khmer), and, by extension, the country of Cambodia is referred to as *srok khmae-yeung* (our Khmer country). This constantly defines the country in ethnic terms, privileging the majority ethnic group.

The importance of mutual understanding and tolerance of difference, not only out of respect for different cultures but also for the preservation of cultural identity, becomes particularly apparent in situations where highlanders live alongside a majority Khmer population, a situation not yet experienced by many of the ethnic groups in the northeast but which is the current experience of some of the Kuy living in mixed ethnic villages in Stung Treng, where they are vastly outnumbered by Khmer. Kuy men working as soldiers in the local army base described how they were mocked by Khmer soldiers for using their own language, and mothers described how their children were embarrassed to speak Kuy at home as they were afraid their Khmer friends would laugh at them. In such situations, there is an intense pressure to suppress cultural identity to avoid conflict and shame, which is what in many senses these Kuy communities were found to do.

Source: White (1996). Reproduced with permission of the publisher—Center for Advanced Studies, Phnom Penh.

The present study highlighted the aspirations of both adults and children in becoming literate and able to calculate figures. They expressed an urgent need for basic skills that will enable them to hold dialogue with government authorities and stakeholders regarding their natural resources. While formal education is not so appropriate to many villagers in areas visited (Tuy, Kanat Touch, and Kameng of Ratanakiri, as well as Pou Heam and Pou Rless of Mondulkiri), they mentioned the value of NFE. NFE is interesting to them because they can be active participants and the curriculum is based upon their priorities. It is hoped that the knowledge gained by people from NFE courses will lead to an improved situation for villagers as well as provide opportunities for their empowerment in the face of threats to their traditional way of life. One elder in Tuy village said:

Increased access to education is an obvious requirement for villagers and can be used as an entry point for issues concerning natural resource management, landownership, and trading and marketing skills.

In Ratanakiri, NFE activities were mostly integrated into the development programs of NGOs or provided in the form of bilateral cooperation between the Government and sponsoring organizations. NFE in Ratanakiri aims to improve literacy. The NGOs began pilot courses in a few selected villages and later expanded to other villages. The volunteer teachers are recruited locally and trained during a workshop or at the district center. These volunteer teachers have no salary, but the organizations pay them a small amount per hour or give them an award at the end of the year. Classes are conducted in the evening after 7 pm and last at least 2 hours.

HEALTH

Health status

The principal health problems faced by indigenous peoples in the northeast are directly related to the natural environment and socioeconomic conditions there. Among the most common diseases are malaria,

diarrhea, acute respiratory infections, tuberculosis, and intestinal parasites.

Infant mortality in Cambodia is the worst in Asia at 115 per 1,000 live births, and the under-5 mortality rate is 181 per 1,000 births. Infectious diseases, along with low vaccination rates and poor nutrition, account for most infant deaths. Maternal mortality is also high at 650 per 100,000 live births. The most common causes are complications related to abortion, eclampsia, and hemorrhage. Prenatal care services and facilities to handle complicated births usually are not available to highland peoples.

Social and cultural factors are important in the use, and potential abuse, of drugs, tobacco, and alcohol. Field visits suggest that use of tobacco and alcohol is very high among children in the northeastern provinces.

Recently, Cambodia has been especially hard hit by HIV/AIDS and has one of the highest infection rates in Asia. There is no evidence of infection yet among the indigenous peoples in the northeast. However, they could in time be seriously affected, precisely because they have little access to preventive measures.

The health system in Cambodia has been under tremendous reform from top to bottom in the past decade. However, access to health care and quality of services remain major problems because of low socioeconomic development levels, low literacy, and financial constraints on the health system. The system is still struggling to rebuild facilities and personnel lost during the Pol Pot era. Facilities are simply not available, are poorly distributed, or are in poor condition. The supply of doctors, nurses, and health workers is limited, as are their training and supplies. Ethnic minority families often live far from roads and district or provincial centers, effectively restricting their access to formal health services. And when the services are available, they are often of lower quality than might be found in other parts of the country.

Inadequate nutrition is another problem that may influence the health status of highlanders. As one villager said:

Villagers have not enough food to eat in order to have force and energy for working in chamkar as well as participation in all development activities in their village.

Health and Belief

Most indigenous highland peoples are considered to be animists although some villages in Dak Dam and Busra communes in Monduliri are predominantly Catholic, largely because of the presence of French missionaries before and after the Khmer Rouge period.

The health status of indigenous villagers cannot be separated from spiritual beliefs or social life. People's actions regarding health are charged with social and cultural implications. Among hill tribe members, there appears to be no indigenous notion of the spread of disease through contact with germs, bacteria, or viruses. Highlanders do recognize, however, that dirty water can cause sickness.

The spirit world holds great importance for most indigenous peoples and influences most of their activities, such as the movement of villages and houses, work in the rice fields, sickness and health, and death. Spirits are usually found in the natural environment: in the forest, in some large trees, in deep water, on top of hills, in waterfalls, etc. People offer food and small gifts to the spirits before meals, and sacrifice animals during marriages and funerals or to appease the spirits in times of illness. Commonly sacrificed animals range from chickens to buffaloes according to the importance of the spirit.

Traditional Healing

Traditional medicine and healers are important resources for health in Cambodia, especially in rural areas. Traditional healing consists of the use of traditional medicine, the use of herbs and other curative plants, and spiritual curing. Various options are available to villagers who fall sick, including both traditional and modern services. Traditional healers offer a wealth of assistance and indigenous experience and are usually trusted by the many villagers who seek out their assistance. Specialists include herbalists, spirit mediums (*arak*), traditional birth attendants, villagers who have previously been trained in work and are still called upon for some services at the village level, and other villagers who can carry out the required treatment.

According to a study carried out by the NGO NOMAD in 1998, there are five main types of traditional practitioners in Phnong society: (i) the *kruu boran*, who

uses plants and animals and often acts as a pharmacist and a healer at the same time. He understands diagnosis and appropriate medicinal plant remedies as well as their preparation and use; (ii) the *kruu ap* (witch), who uses only magic; (iii) the *kruu beut* (shaman), who uses magic but only with good intentions; (iv) the *chmop boran* or traditional midwife, who uses magic and plants; and (v) the *kruu thief*, a medium or diviner (Pordié, 1998). Another healer, the *kruu so doh plom*, is able to vanquish spirits from houses.

Herbal medicine made from roots, tree bark, and leaves is frequently the first recourse. Herbal remedies exist for numerous ailments, including headache, stomach ache, fever, diarrhea, malaria, cough, joint pain, snakebite, lack of energy, and gynecological problems. There are also many local people who are considered to be experts on herbal medicine, sometimes requiring payment in cash or kind. Cost varies depending on the nature of medicine, but it can be significant.

As modern medicine becomes increasingly popular, the younger generation is showing less interest in traditional medicine. However, traditional practitioners continue to be revered and their services are often requested.

Human Resources

In some cases, qualified health personnel appointed to work in the remote provinces return to urban areas after a short stay. The reasons include low government salaries, poor accommodation and roads, poor communication, being far from their family, and having little opportunity to supplement their income after working hours.

It is important for the health system to recruit much of its workforce from the remote regions rather than depending on trained urban personnel. Given the local recruits' contacts with the community, they are more likely to return to the community after training and stay there to work, providing services to their neighbors and community. The existing health volunteers are another potential human resource and can work within the new health system, but they must receive better training and must thoroughly understand the referral system.

During visits in Monduliri and Ratanakiri, the study team investigated the participation of indigenous peoples as health care providers. In general, lowlanders,

who did not stay long in the province, staffed the provincial hospitals. However, there were some staff members with local backgrounds at the provincial Department of Health. The health centers generally had local staff who were trained in regional centers or by NGOs.

In Ratanakiri, the staff of six of the nine health centers are almost all from among the indigenous people, and Health Unlimited plans to involve either the health center staff or the commune health workers in the health post system (one male and one female for each health post). They will be trained according to a specific training module and also receive follow-up continuing education.

Health Infrastructure

Based on the results of workshops in 1995 and then later in 1995–1996, the Ministry of Health started designing a health coverage plan for the whole country (21 provinces) with the support of WHO. An important actor in the new system is the health center: there are approximately 900 in operation. Each health center is supposed to cover a population of about 4,000–11,000, organized in health catchment areas. The health center is designed particularly for those parts of the country with low-density populations living far from more traditional health care providers.

Every district of Ratanakiri and Mondulkiri has its own health center. However, the population in the highland area is spread out thinly, so that distance still causes problems for people in accessing health services. The user fee system adopted by the Government also contributes to limit access to the health service. Most villagers complained that they lack money to pay the health center—KR500 (US\$0.12) for consultation and KR2,500 (US\$0.60) for staying overnight.

CIVIL SOCIETY AND GOVERNANCE

Residents of a village are expected to conform to the traditional authority of the group, which rests with the village elders. These are a group of older male villagers (sometimes also consisting of women as in the case of Tuy village), chosen and accepted by community

consensus as “those who know how to speak” and “those who know the difference between right and wrong.” They play a multiple, interconnected role in the life of the village, both as the conservators and implementers of customary law, and as arbitrators and decision makers in disputes between villagers. Their authority is reinforced by their knowledge of spiritual affairs. The elders lead important communal ceremonies such as cow or buffalo sacrifices and village feasts. They are instrumental in preserving and handing down the collective identity of the group in their role as storytellers of the myths and legends, which make up both the village and the ethnic group’s social history. In situations where villagers gather together, such as at communal feasts and spiritual ceremonies, the elders will often recount such stories, and in every village there are always at least several individuals admired for their skill at telling ancient stories with a wealth of detail, brought to life with their own personal embellishments (White, 1996).

Strong leadership and effective systems of decision making are crucial to the survival of such close-knit communities as highland villages. It is understood that the elders’ advice and decisions will be respected and followed, thus maintaining good working social relations at village level. Along with the elder group, there is a village chief who is chosen by the Government. In the villages where the SEILA program operates, particularly in Ratanakiri, there is a VDC chosen through the village election process with help from the development organization.

These leaderships play a complementary role to each other. The village chief is the only person who has authority over the village and is linked to the upper administration. The government policy and programs are implemented through that person. The VDC is responsible for carrying out community development activities. Its members include both men and women.

The development structure in Ratanakiri Province as well as in other SEILA provinces operates from the provincial level (the PRDC) to the community level. Through development projects, different committees and working groups are sometimes established, such as a women’s group, village health committee, natural resource management committee, gender focal person, village volunteer teacher, and village volunteer veterinary officer. The village chief and the VDC have worked together for development projects in Tuy village.

Although the village chief is appointed by the provincial authority, the elders are the decision makers on all issues in Tuy village. For example, if the chief village cannot end a conflict in the village, both sides must be put to the elders to solve the problem.

Based on the development needs of Ratanakiri, three indigenous working groups have been established: the Indigenous Women's Network, the Community Advocacy Working Group, and the Highlanders

Association. These working groups work with the indigenous peoples. They have important roles as bridges, building capacity in the field of natural resource management in the local community, and bringing opinions on development activities to the provincial authorities and national Government in order to advocate for equitable laws concerning indigenous peoples' issues.

6 ASIAN DEVELOPMENT BANK EXPERIENCE

In Cambodia, ADB has four activities relevant to indigenous peoples: an Agriculture Sector Program, Health and Education Needs of Ethnic Minorities in the Greater Mekong Subregion, Poverty Reduction and Environmental Management in Greater Mekong Subregion Watersheds, and an Education Sector Program (in preparation; not reviewed here).

AGRICULTURE SECTOR PROGRAM

The objectives of this program are to tap the productive potential of the agriculture sector in order to stimulate overall economic growth, improve individual incomes of the majority of the population, improve employment opportunities, improve food security, reduce migration from rural to urban areas, conserve the environment, and provide an economic base to increase government revenues for development expenditures in the health, education, and social sectors.

The program includes measures to improve social stability in the rural areas, enhance farmers' access to markets and market information, increase farmers' access to inputs, enhance access to finance for the rural population, and promote the most efficient use of the government's budgetary resources in rural areas.

From 1979 to 1992, all private ownership of land was formally abolished and land became state property. The 1992 Land Law was generally recognized to be inconsistent and unclear. In the absence of a clear legislative framework and registration and enforcement mechanisms, powerful people, including officials and military officers, have been involved in land grabbing. As a result, many people, especially the poor and powerless, have lost their land.

Recognizing the importance of land tenure security by farmers, ADB required that the 1992 Land Law be revised as one of the conditions under the Agriculture Sector Program and provided technical assistance for drafting the new law. Many NGOs provided support for and were involved in the drafting process. Seminars and workshops related to land security, options for landownership, and sustainable development were held in Phnom Penh and Ratanakiri with involvement of indigenous peoples. As noted earlier, these workshops and seminars provided useful contributions to the section on "immovable property of indigenous communities" in the draft new Land Law.

For the indigenous highland peoples, the new Land Law is very important because it recognizes the rights of indigenous people in their traditional land use. However, the effectiveness of the new law also depends on the drafting and implementing of appropriate decrees and regulations by government officers. Further, people must be made aware of their rights and obligations under the law and how to realize their rights. For this purpose, the Government has requested ADB assistance in further development and implementation of land legislation. A new technical assistance project, "Implementation of Land Legislation," is included in the 2000 country assistance program for Cambodia as part of the overall assistance to improve governance. That project has three components: (i) drafting implementing decrees, subdecrees, and regulations; (ii) training the judiciary and others; and (iii) dissemination of information to the public. Dissemination of information to the public will be carried out in close cooperation with NGOs and civil society.

HEALTH AND EDUCATION NEEDS OF ETHNIC MINORITIES IN THE GREATER MEKONG SUBREGION

The goal of this technical assistance was to foster the well-being of ethnic minorities living in the mountainous and border areas of the GMS and to increase their opportunities for good health and education. Four countries were involved: Cambodia, Lao PDR, Thailand, and Viet Nam.

The specific objectives were (i) to identify constraints that impede indigenous peoples' access to responsive health and education services; (ii) to identify local and national opportunities that exist and can be fostered to address needs and remove or reduce constraints; (iii) to identify and document "good practices" of responsive health and education services; and (iv) to identify strategies, approaches, tools, and interventions that respect minorities' chosen ways of living and organize and support efforts to disseminate and exchange research findings, case studies, and other experiences with ethnic minority organizations and the general public, as well as key personnel in health, education, and related sectors.

The study showed that indigenous peoples have a significantly lower health and education status than the national average and that they encounter numerous barriers to using health and education services. The study confirmed trends in GMS countries related to health and education of ethnic minorities. It noted that the recent economic trends and the general trend toward cost recovery of communal services may result in reduced health and education access for poor ethnic minority populations that already tend to be among the most marginalized groups.

Other factors influencing health and education of indigenous peoples in the GMS include

- the political history of each country, which continues to influence the making and implementation of policy, as well as societal relations;
- rapid population growth and migration, which have important impacts on service reach and delivery;

- environmental factors, e.g., deforestation, erosion, decline in water quality, lost biodiversity, and agriculture practices, which have changed and are changing the cultures and economic opportunities in many minority villages;
- income inequalities, which are growing within each country and across the GMS;
- HIV/AIDS, which poses a special threat to ethnic minority populations; and
- decentralization, which poses implementation challenges while encouraging more local involvement and community in the planning and implementation of social services and infrastructure development.

In the case of Cambodia, decentralization has had a particularly difficult recent history and is still in the early stages, during the long process of national reconstruction and development. This political and economic reconstruction has sought to bring rights and services to all Cambodian citizens, including ethnic minority populations. The Government recognizes the ethnic diversity of the nation and has emphasized the needs and interests of all citizens.

In recent times, the indigenous people who live in the wide and scattered areas of the northeastern provinces have faced unprecedented change. The ever-evolving political environment, new administrative practices, the rapidly changing economy, and the migration of groups from the lowland areas have had a major impact on the ethnic minority groups that reside in this region. With greater integration of the national economy, the northeastern highland areas are increasingly exploited for commercial purposes.

Government policies that implicitly support these changes are also inadvertently encouraging the "khmerization" of the highland populations by moving them close to roads, encouraging settled agriculture, and trying to integrate them into the national economy. This offers both opportunities and risks for the indigenous population.

The study proposed three health and education programs to assist the indigenous peoples in Cambodia: (i) HIV/AIDS in northeastern provinces, (ii) nutrition and indigenous people, and (iii) primary schools in remote areas.

POVERTY REDUCTION AND ENVIRONMENTAL MANAGEMENT IN GREATER MEKONG SUBREGION WATERSHEDS

A Cambodia country report was prepared by ADB consultants as part this project.² The aim was to prepare a prefeasibility proposal for a possible Cambodian-ADB program on Poverty Reduction and Environmental

Management in the Se San Watershed. The consultancy proposed a range of project interventions, covering institutional strengthening and capacity building, community development, livelihood systems development, infrastructure development, and environmental management. The intended target beneficiaries were rural communities of five districts in Ratanakiri and Stung Treng provinces, the main emphasis being on greater food security and development of income-generating activities. This report and its proposals were subsequently criticized by a network of NGOs in Ratanakiri, concerned at the absence of input by local communities into the project design. They argued furthermore that procedures were inconsistent with requirements of ADB's Policy on Indigenous Peoples.³ There are no indications at present that ADB intends to proceed with this proposed project.

² RETA No. 5771. Cambodia Country Report, Margules Poyry Consultants in association with ANZDEC Limited, New Zealand, and GFA-Agrar, Germany.

³ Meeting with Ratanakiri-based NGOs, 23 May 2001.

7

TOWARD A NATIONAL ACTION PLAN

A National Workshop on Capacity Building for Indigenous/Ethnic Minority Issues and Poverty Reduction, organized by MRD and supported by ADB RETA 5953, was conducted in Phnom Penh on 13–14 September 2001, with participation of indigenous peoples' representatives from the four northeastern provinces.

The objectives of the workshop were (i) to exchange experiences between indigenous/ethnic representatives and other participants on the results of consultation with indigenous communities in northeastern Cambodia; and (ii) to gather indigenous/ethnic minority requirements and recommendations in order to formulate a specific action plan for indigenous/ethnic minority development in northeastern Cambodia.

The workshop participants listed a number of general concerns and specific issues in education, health, and agriculture, and produced a national action plan to put forward to development partners such as ADB.

GENERAL CONCERNS

- National and provincial authorities should answer to the urgent needs of indigenous/ethnic minority communities as well as respect their rights by assisting them to have a better life.
- Priority is to be given to four issues in indigenous peoples' development: land and forest, agriculture, education, and health.
- MRD should play a regulating and coordinating role between the new Department of Ethnic Minorities Development and IMC for indigenous peoples' development.

- ADB should provide more information on land use and management, especially for the indigenous minority communities to enable them to participate fully in the implementation of the new Land Law.
- The workshop discussion and recommendations should be formulated into national and international issues. The Ministry of Planning should include the recommendations in national planning.
- IMC should prepare a national document on the findings and recommendations taken from the workshop to inform IMC ministers and propose it as a basis for discussions at the national level. IMC should also conduct regular meetings to study in more detail the problems of indigenous peoples.
- IMC should include the Ministry of Culture and Fine Arts among its members because this ministry is involved in the preservation of ethnic culture.

EDUCATION

- ADB and IMC should assist the formulation of, and provide material and financial support for, an NFE system, focusing on vocational training and teacher training for literacy. People from indigenous ethnic minority groups should be recruited as resource persons for these training programs.
- School infrastructure and more teachers are needed for indigenous communities in remote and isolated areas.

- The Ministry of Education, Youth, and Sport should encourage teachers in the highland area to encourage indigenous children to attend school at no cost.
- Government, ADB, and NGOs should support ethnic teachers or teachers from other areas of the country in order to keep them working in villages where there are schools but no teachers.
- The Ministry of Education, Youth, and Sport, in cooperation with ADB or NGOs, should support the existing regional teacher training center by providing scholarships and accommodation for indigenous students in order to strengthen the capacity of indigenous teachers in northeastern Cambodia.
- ADB and other aid agencies should support long-term teacher training programs.

HEALTH

- Government and aid agencies should pay more attention to primary health care of indigenous peoples.
- Government and NGOs should take measures to prevent the transmission of AIDS and other epidemic diseases.
- The Ministry of Health should provide training skills, support, and motivation to health staff.
- The Government should recruit indigenous peoples to undergo skills training in health techniques and practices.
- The Government and ADB should provide health posts and mobile clinics, which are the appropriate type of facility for remote areas.
- The Government should encourage and provide scholarships for indigenous peoples so that they are able to become medical specialists.

AGRICULTURE

- There is a need to assess where improvement in sustainability of agriculture in northeastern Cambodia can be best made, e.g., in cultivation methods, developing crop varieties with local resistance, income generation, and animal raising, and to develop these areas accordingly.
- The indigenous peoples propose that the Government, in particular the Department of Land Titles, immediately take measures on traditional landownership. The application fee to process land titles should be small.
- IMC, especially MRD, should lobby for the Forestry Law to include protection of the quality of life of the indigenous peoples whose culture and livelihood are mainly based on forestry products.

ACTION PLAN

Introduction

Cambodia has taken important steps in recent years to recognize the identity and rights of its ethnic minority groups, including its vulnerable highland peoples located mainly in Mondulkiri and Ratanakiri provinces, and to promote programs for their poverty reduction. Legislative measures include a chapter in the new Land Law on the immovable property of indigenous communities/minorities and provisions in the new Forestry Law concerning customary user rights and management of community and private forests. Administrative measures include the very recent creation of a Department of Ethnic Minorities Development within the Ministry of Rural Development.

At the same time, important measures have been taken to develop medium-term plans and programs of poverty reduction for all Cambodian citizens. National poverty reduction strategies have been prepared by the Cambodian Government with technical assistance from multilateral agencies including ADB and the World Bank.

Ethnic minority groups are nevertheless facing severe problems in practice, and are at risk of being marginalized from the benefits of economic and social development. Their problems include lack of land security, increasing difficulty in earning their livelihood through traditional forestry and other pursuits, inadequate alternative income opportunities, poor access to credit or to marketing outlets for their produce, and problems of health and education.

In an action plan there is a need for clear targets and clearly identified activities over a fixed period of time in order to confront these problems and to reduce the poverty facing ethnic minorities and indigenous peoples.

The action plan agreed upon at the national workshop was divided into (i) substantive aspects of a program; (ii) institutional aspects, including the division of responsibilities between different government ministries, and mechanisms for consultation with ethnic minority groups; and (iii) the role of international cooperation, and proposals that can be put forward to IOs including ADB.

Substantive Issues

Identifying vulnerable ethnic minorities

There is a need to identify as clearly as possible which ethnic minority groups deserve special attention in poverty reduction programs. Not all ethnic minority groups can be considered vulnerable. There is evidence that some ethnic minority groups are disproportionately poor and that their poverty levels have been increasing in recent years. These groups mostly reside in northeastern Cambodia.

Mainstreaming the concerns of ethnic minorities in poverty reduction strategies

There is a need to give more attention to indigenous ethnic minorities in the context of overall poverty reduction strategies. Issues related to natural resource management such as land and forestry, enhancing livelihood security and opportunity for income generation, and health and education should be considered as international development targets for poverty reduction. It is recommended that the results

of this regional technical assistance be incorporated in poverty reduction strategies, and further refined with reliable data, to ensure that these concerns are fully incorporated in poverty strategies and action programs over the next 5-year period.

Enhancing land security

A legislative framework is now in place for recognizing indigenous/ethnic minority rights over traditional land areas, but there is an urgent need for a practical program of action. It is important to identify, delineate, and demarcate areas of indigenous landownership, and to resolve claims between ethnic minority and external land claimants at the earliest opportunity. There is a need for measures to stop immediately the process of land encroachment by outsiders or newcomers, especially in the areas near cities and along the road, by postponing provision of land titles until the process of mapping and demarcation of community land has been done. Local communities should be empowered to map their own land areas in collaboration with the Ministry of Land Management and other government agencies as considered relevant. Ratanakiri and Mondulakiri provinces could be assigned this task over the 5-year period 2002–2006.

Enhancing income and livelihood security

There is an urgent need to enhance the income security of vulnerable ethnic minorities through targeted programs of assistance. Incomes can be enhanced in many ways, through access to use of forest products, through marketing of produce, through agricultural and other wage employment, or through self-employment and home-based employment for artisanal and other activities. It is important to have integrated programs of action, sometimes undertaken together with NGOs. Fixed targets could be set for implementing integrated pilot programs of assistance for income generation.

As the legislative framework related to the forest will be ready in the near future, there is a need for a program of assistance in organizing community forestry, including mapping and demarcation, and to disseminate knowledge of the new Forest Law to

promote its clear understanding among the indigenous communities. The northeastern provinces should be the targets of implementation of such pilot and long-term assistance programs in 2002–2012.

Moreover, programs need to reach out to remote regions, such as in Mondulakiri Province, where there is acute poverty but so far a limited number of national and international assistance programs.

Education

The policy priority of the Government in education is to ensure equitable access and quality improvement for 9 years of basic education for each child by around 2010. A crosscutting priority is to strengthen the legislative and regulatory framework for quality assurance and sector performance monitoring across subsectors (SEDP II). An associated priority in SEDP II is to reduce direct and indirect costs to parents through a significant increase in performance-based teacher salaries.

There is an urgent need to ensure equitable access and quality improvement of education in the northeastern area through, e.g., improvement in the education infrastructure; multigrade teaching; improvement in teachers' salaries and incentives; improvement in curricula and textbooks; harmonizing the school and agriculture calendar; using as far as possible in-community human resources; establishing a boarding school in the district to allow children in remote areas to receive formal education; and extending NFE to remote communities.

For human resource development in the highland area, there is an urgent need to set up an assistance program in formal and nonformal education. A minimum 10-year program should be set up for Ratanakiri and Mondulakiri.

Health

A number of important initiatives to strengthen the health system have been made, such as extension of rural health services on the basis of the Health Coverage Plan adopted in 1996 and budget reform based on the 1996 Health Financing Charter.

The Government recognizes that, in order to fulfill its constitutional obligations to guarantee the health of its citizens and provide free consultation for

the poor, more public resources must be provided to the health sector.

There is a need to have an assistance program on health in northeastern Cambodia, which should include such activities as improving the health policy to balance the high cost and poor quality of services offered at public facilities; ensuring that the poor are not charged; exchanging information about users and providers; indigenous community participation in designing and making decisions about their primary health care; developing a strategy to keep health workers in the highland areas; promoting and recruiting personnel from among the indigenous peoples; training health workers in local health centers to be capable of offering a minimum package of services; and using mobile clinics.

Institutional Concerns

The recent decision to create a Department of Ethnic Minorities Development will increase the attention already given to these vulnerable groups by the IMC. It is still important to find an appropriate coordinating mechanism, through which the many concerns of ethnic minorities can be given due attention in the work of all government ministries.

Whatever decision is taken, it is vital to find a mechanism through which ethnic minorities can be consulted over development priorities that affect them directly, and can participate in the design and implementation of such projects. Cambodia should propose to establish local councils of ethnic minorities to advise on development and investment policies and programs as do some other Southeast Asian countries.

Cambodia could establish consultative bodies, at either local or regional levels, over a 1-year period. This would be an important aspect of the country's commitment to participatory governance.

The Role of International Cooperation

International cooperation will be of much importance in enabling Cambodia to uplift the social and economic conditions of its ethnic minorities. Some IOs, including ADB and the World Bank, have adopted specific policies on indigenous peoples in order to safeguard their identity and rights in the process of development.

An action plan needs to include priorities for such international assistance. It can take many forms. As in the past it can consist of *policy advice*, in such areas as land and forestry legislation and policy. It can devise a particular program of *technical assistance*, for example, in an area such as land registration for ethnic minorities. A government may wish to have a *targeted project or loan*, directed particularly at the needs of ethnic minorities or at a geographic region where ethnic minorities are mainly located. There are several

ADB projects in neighboring countries, for example, where indigenous peoples and ethnic minorities are intended as the primary beneficiaries. Alternatively, there may be a need for *improved consultative and participatory procedures*, to ensure that projects in such areas as health and education are sensitive to the needs of ethnic minorities. Technical assistance might also be provided for capacity building for such consultative bodies.

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