



Cardamom Mountains Wildlife Sanctuaries Project (CMWSP)

#8B, Street 398, Boeung Keng Kong I,
PO Box 1380, Phnom Penh, Cambodia
Tel: (855) 23 220534
Fax: (855) 23 211142
E-mail: ffi-cmws@everyday.com.kh



Information for the Working Group on Forest and Environment on attainment of Donor Working Group indicators in Phnom Aural and Phnom Samkos Wildlife Sanctuaries
18 May 2005

The Cardamom Mountain Wildlife Sanctuary Project (CMWSP) is funded jointly by EC and UNDP/GEF under the Management of the Cardamom Mountains Range Protected Forest and Wildlife Sanctuary Project. This project is being implemented by FFI and the Ministry of Environment.

To assist the TWG in reporting the progress against the CG benchmark, the project is pleased to provide to UNDP the relevant information so as UNDP can take further action to report to the Technical Working Group on E & F.

The CG benchmark this report focuses on is: **“RCG disclose the location and legal status and process for termination of the mining concessions, military development zones, economic land concession and other development management situated on forest land or protected areas and inconsistent with the law governing management of these areas”**

Military Presence and threats to the conservation efforts in PAWS and PAWS

Phnom Samkos Wildlife Sanctuary (PSWS)

In PSWS Military Region 5 and Provincial Authorities have, upon request, readily provided the following information.

List of Military Units Based Inside Phnom Samkos Wildlife Sanctuary

N ^o	Name	Personnel	Location	Grid
1	RCAF 501 Battalion (6 companies – stationed in detachments at the following locations	Total 470		
a	Sub-Headquarter		Spean Chey Chomneas	555481
b	'Front' headquarters		-	837432
c	Check point		Thmor Da (Rong)	534414
d	Check point		Chorl (F1)	521517
e	Detachment		O'Angkarm	525449
f	Detachment		Thmor da (104)	540425
g	Detachment		O'Pluk Damrey	510454
h	Detachment		O'Deoum Chek	583514
i	Detachment		Ta Khiev	568363
j	Detachment		O'Romdang	589302
k	Detachment		Chorl (F1)	521517
l	Detachment		O'Russiey	518499
m	Detachment		O'Sous S'dey	534548
n	Detachment		Veal Kduach	551956
o	Detachment		Veal Rumpoey	527574
p	Detachment		Spian Daek	640504
q	Detachment		Stung Kach	684996
r	Detachment		Phlov Bambak	558499
s	Detachment		Phlov Bambak	571489
2	Pursat Provincial Military	Total 237		

CMWSP is a joint project of the Cambodian Ministry of Environment and Fauna & Flora International, focusing on biodiversity conservation and sustainable development in the Phnom Samkos and Phnom Aural Wildlife Sanctuaries. Support for CMWSP is provided by the United Nations Development Programme, the Global Environment Facility, the European Union and the United Nations Foundation

	No 1 Battalion			
a	HQ	134	O Kambou	02901359
b	Sub-unit	10	Phchoeuk Chrum	02941344
c	Sub-unit	15	Ptair Mpay	02681357
d	Sub-unit	58	Toul Kruas	02621368
e	Sub-unit	10	O Toch Loch	02921367
f	Sub-unit	10	Troh Poh Khmum	02681357
3	Veal Veng District Military	Total 82		
a	HQ	16	Pramaoy Commune	
b	Sub-unit	66	Sre Peang	
	Total military personnel (all units)	789		

CMWSP is currently assessing the presence of military units in the Samkos southern “pan handle” in Koh Kong Province along the Thai border, occupied by elements of Battalion 303. The project has managed to map several small camps and checkpoints in the area, but have been prevented by armed soldiers from visiting some areas.

Phnom Aural Wildlife Sanctuary (PAWS)

Military Division 1 (Based out of Anlong Vek on route 5)

- Military Division 1 has apparently given a mission order for 15 men with 5 guns from unit *Ngor Pii* (E2) to act as mobile patrol in Phnom Aural WS. These troops have been operating check points, threatening MoE rangers, intimidating local people and supporting logging in several areas, especially Longhem, Sre Ken and O’Taung and Chrak Teak villages.
- Villagers from Chrak Teak have appealed to the project for help to stop destruction of their (MoE granted) community protected forest area by loggers and soldiers.
- Soldiers apparently associated with a Colonel Nouc Kan of Division 1 have recently occupied 250 hectares of land comprising rice paddy and forest in O’Taung village, displacing local villagers.

Battalion 313 (Kantourt)

This unit is based just outside the protected area boundary and consists officially of 250 men on a 5ha plot.

- Soldiers associated with 313 a have been involved in numerous documented forest crime incidents .
- The New Cosmos company has hired soldiers from 313 to protect its concessions. On 13th of February soldiers from 313 operating a check point on route 42 for the New Cosmos company came close to opening fire on a CMWSP project vehicle. Since then New Cosmos has replaced 313 with police guards at that site.
- CMWSP community team members have received death threats from soldiers and local timber traders
- On 14th March 10-15 men (unarmed; some in uniform from battalion 313) forced their way into the ranger station demanding the return of a confiscated truck and threatening to burn down the station.

Military Region 3

- MR 3 continues to operate a ‘Military Development Area’ inside the Sanctuary near Te Teuk Pos hot springs. It has been asserted that the army has some kind of authorisation to occupy this land, but the project has never been shown this.

Others

- Various other military units operate sporadically in PAWS but have no permanent presence. In April a soldier from MR5 shot at project personnel and provincial police raiding the illegal sawmill in PAWS and then left a booby trap bomb at the sawmill, which was successfully disarmed. A warrant has been issued for his arrest.

Military Units: Summary and conclusions

Challenges

The presence of armed soldiers is still the major impediment to effective wildlife sanctuary management.

- Military units have no clear mission in these areas (except for those on the border with Thailand in PSWS).
- Unsupervised Soldiers have the potential to intimidate local people, occupy land set up check points, hunt and seek employment in illegal logging. Statistics show around 25% of all violators in PSWS and as much as 50% in PAWS are soldiers based in or near the Sanctuaries.
- Many soldiers have access to weapons, even when not on authorised missions. MoE rangers have managed to confiscate 13 illegal weapons in the past 12 months from soldiers.
- Soldiers can be readily hired by concessionaries to provide armed protection, 'legitimising' the claim and preventing local protests.
- The army continues to issue mission orders to some soldiers to operate armed patrols in the sanctuaries for reasons of security. Both Aural and Samkos have troubled histories, but we believe that the police are quite able to maintain law and order. Moreover, soldiers do not have any right to police civilians.

Recent Improvements

During 2005 there has been a marked and welcome improvement in responsiveness from military authorities to reports of illegal military activity from CMWSP and MoE. Notably

- MR 5 have readily supplied information about military units and their locations.
- Helicopter raids by military units took place on illegal sawmills in PAWS in March. This was partly successful and took place without consultation with MoE, but it did have a useful and lasting impact.
- Prevention of attacks on ranger station. Action by the Commander of 313 in March 2005 prevented the issuing of weapons to soldier intent on attacking the ranger station. Soldiers reported as being involved have at the request of CMWSP been dismissed.
- Prompt reaction to complaint about MR5 in Kroepu Pi. In April 2005, 50 armed soldiers for MR 5 prevented rangers patrolling in Kroepu Pi. Following a complaint filed by the Senior Minister HE Dr Mok Mareth, these men were promptly withdrawn to Battambang province.
- There have been indications of willingness to discuss relocation of some military units.

Land Concessions and Land Occupation

Phnom Samkos Wildlife Sanctuary

The project has not been officially informed of any specific concessions or developments in the sanctuary, but has received unofficial information or rumours of the following:

- Attempts by an Australian entrepreneur to introduce cattle ranching to the Sanctuary (discussions held with District and commune chiefs).
- Reported visits by "Japanese" investors concerning cattle ranching (Discussions held with District and commune chiefs).
- Reports of possible inclusion of parts of PSWS in Battambang Province as part of a 230,000ha in bamboo concession granted to Pheapimex on 8 June 1998 (we have not been able to obtain a map of this area and so cannot confirm that it include PSWS land)
- There are reports that part of the 60,200ha pulp and paper concession awarded to the Green Rich Co. Ltd. on November 11, 1998 includes part of PSWS.
- Explorations for bauxite mine in the east of the Sanctuary took place in the presence of "foreigners" in 2004.
- Possible dam construction at Me Teuk river (3 dams) on the Western Boundaries of the Sanctuary. This is a long standing planned joint venture with Thailand, but we are unsure of its status.

- Possible dam construction on Stung Atai in O'Som commune on the south western boundaries of the sanctuary. Geological testing was conducted by Thai engineers in 2004 and rangers prevented larger scale forest clearing linked to this.

The project cannot confirm the veracity, status or other of any of these projects or proposals. It is clear however that hydroelectric development **is** likely to occur in the future and the project would greatly welcome a clear indication of the government's plans

Phnom Aural Wildlife Sanctuary

Te Teuk Pos; New Cosmos

- CDC has authorised a concession to the New Cosmos company for a resort development, luxury housing and golf course. We have not been formally shown any plans for the development.
- The total area was originally requested as 900ha, but we have been told it has been increased to 1,900 ha to allow access to the river.
- We have been informed that the company only has permission to mark the boundary of their concession and to test drill for geology and water. They have constructed a large brick storage barn. The Senior Minister has responded quickly at our requests for the contractors to stop any further building before the ESIA is completed.
- The project has not yet received any information about the timing or conduct of the ESIA or requests for assistance or inputs.

Phnom Prek Zinc/Lead Mine :Future Environment

- In November 2004 CMWSP received information that the Minister of Industry, Mines and Energy had signed an MOU with Future Environment Ltd. for mineral exploration in an area covering 70 km² in the west of sanctuary. CMWSP raised this issue with Senior Minister HE Dr Mok Mareth.
- In December 2004 the Senior Minister wrote to the project requesting our approval of mineral exploration in the area and enclosed the outline proposal from the Future Environment Company. subsequently we were informed that the CDC had approved this concession. It should be noted that Article 4 of the Prakas on the Protection Of Natural Areas, Ministry of Environment Declaration No. 1033 (June 3, 1994) explicitly prohibits the exploitation of minerals and the use of explosives in the protected natural areas.
- The MoE has approved the construction of a 15 km road to the concession area. This has nearly been completed and has led to resulted in several attempted land grabs on the road. These have been prevented to date by project supported rangers and the company is also assisting in preventing land occupation.
- Staff from the Future Environment Company have provided CMWSP with a sample of the ore from the site; it is rich in metal sulphides (Lead, Zinc, Iron).
- The MoE has stated the exploration phase of the project will be subject to an ESIA. The New Cosmos company have approached CMWSP for biological information. CMWSP has requested a meeting with the company and the MoE to discuss the ToR for this ESIA. CMWSP and UNDP have enabled three MoE biologists working with CMWSP to attend EIA training in MoE.

CMWSP remains deeply concerned about this proposal for the following reasons.

- The concession area is in the proposed core (30%) and conservation (70%) zones. the area is undisturbed, remote and rich in wildlife.
- The new road opens up a previously remote part of the sanctuary inviting land grabbing. A new settlement would inevitably develop at the mine site
- The mining and processing technique for extracting metals from sulphide ores involves a high risk of siltation, heavy metal and acid pollution of the river system which supports many local communities, irrigates the lowland rice agriculture of Kampong Speu and would supply the Te Teuk Pos resort.

- This threat is increased by the location for the exploitation are at the foot of the steep Central Cardamom's escarpment. High rainfall and flash floods would make containment of tailings and spoil very difficult
- The prevailing winds would blow polluted air from furnaces towards Phnom Aural

Chrak Teak : New Cosmos

The project has documents relating to a 325 hectare concession partly inside the Protected Area that was allocated to a Mr Keo Pong in 1999, but authorised at district level only (i.e not by the province or by MoE). Keo Pong has allegedly now sold the concession to a company associated with the New Cosmos company (which holds the 'golf course' concession at Te Teuk Pos). The concession area includes large areas of land currently used by the Chrak Teak community for agriculture and it is zoned as CPA for the Chrak Teak people. Community members said that nobody has consulted with them regarding the allocation of the concession and have requested that the Ministry of Environment cancel the concession. CMWSP has also written to MoE requesting resolution of this issue. MoE rangers have removed the fences around the concession.

Other

The Ministry of Industry, Mines and Energy has objected to any natural world heritage designation in the Wildlife Sanctuaries until full mineral explorations have been completed.

Unsubstantiated Reports

The project receives reports on a near monthly basis of new concessions or land grabs.

- In 2004, The Pacific Delta Trading and Shipping Co. reportedly requested a 20,000 hectare land concession in Thpong and Aural Districts in Kompong Speu Province for sugar cane. We were informed that the company intends to purchase a 90 hectare plot of land from military region III in PAWS. This may or may not relate to the Chrak Teak concession described above.
- We have seen maps showing that the Pheapimex pulp and paper concession in Pursat province overlaps with the Northernmost spur of Phnom Samkos WS, We have been unable to officially confirm this.
- Soldiers apparently associated with Division 1 have reportedly occupied 250 ha comprising rice paddy and forest in O-Taung village, displacing local families. This land is near to a dam, that is rumoured to be subject to a renovation project. The displaced villagers have filed a complaint with the MoE.

Conclusions

- CMWSP is committed to enabling a zoning system in both sanctuaries that preserves their biological values and provides for improved security, stability and livelihoods of long term local residents, irrespective of their origins and histories. This system should not exclude appropriate forms of economic development away from the core and conservation zones.
- This work has involved extensive research, consultation, participation and has largely been done by Cambodian staff. Much of this research and planning work is now complete.
- However the lack of information on concessions, the continued unexpected allocations of land and resources, illegal land grabbing and other *ad hoc* activities serve continually undermine these approaches. Considerable amounts of time and resources are wasted trying to obtain or confirm information, reacting to unexpected events and dealing with the consequences of the actions of others. A year's planning and investment can be undone in a day.
- Local authorities (Province and District) still consider that they have decision making powers in the areas and frequently ask for clarification over jurisdictions. It is hoped that the zonation will help to clarify this.
- Other ministries and provincial line agencies do not always consult with MoE over issues that affect the management of the sanctuary and the land and resource with it. This may be because that they do not know of the existence of the protected area, they do not understand the role of MoE or because they consider that their authority exceeds that of MoE. There is a need for clear protocols for consultation and endorsement and improved communication between ministries and line agencies.