

05 March 2021

To: ឯកឧត្តម សាយ សំអាល រដ្ឋមន្ត្រីក្រសួងបរិស្ថាន និង

Veena Reddy, Mission Director, USAID Cambodia

From: International Academics, Human Rights Monitors, and Conservationists

RE: Rampant logging inside protected areas, judicial harassment of forest defenders,
and the protection of forest criminals

05 March 2021

Joint Letter to H.E. Say Samal, Minister of the Environment, Kingdom of Cambodia and to Veena Reddy, Mission Director in Cambodia for the United States Agency for International Development

Cease judicial harassment of forest defenders
End the rampant logging inside Cambodia's protected areas
Stop protecting forest criminals

On 5 February 2021, five forest protectors, Ouch Leng, Man Mat, Heng Sros, Torng Cheang, and Heng Run, were [detained by Ministry of Environment](#) rangers, on the outskirts of Prey Lang forest.

Prior to their arrest they were putting up signs to deter illegal loggers and 'ordaining' resin trees, which are protected under the Cambodian forest law, by wrapping them with Buddhist monks' robes — as a blessing for the trees' protection. They were held for over 3 days without charge and made to thumb-print two agreements: not to enter the Prey Lang Wildlife Sanctuary without permission, and not to share photos, GPS data or other information on illegal logging with other organizations without permission.

In March 2020, Ouch Leng and Man Mat with two other members of PLCN were also arrested, Man Mat was assaulted, and they were all held for over 2 days. The arrest occurred while the team was investigating the role of the Think Biotech company in deforestation in the Prey Lang forest. Again, they were not charged and forced to sign non-interference documents. This kind of coercion is also attempted with the locally organized forest protection groups in Prey Lang and Prey Preah Roka (PLCN and PFCN), who have so far [refused to sign such documents](#).

Following the 2020 arrests, the Ministry of Environment made a public statement on Facebook that permission is needed to enter protected areas in Cambodia. Since that time, PLCN members were [denied permission](#) to conduct their annual tree ordination ceremony inside Prey Lang for the second year in a row and local patrol groups have also now been denied entrance to Prey Preah Roka. Logging trucks continue to exit both forests regularly, driving past the ranger stations monitored by Ministry of Environment rangers.

This extreme extraction of forest resources and the aggressive exclusion of Cambodian citizens from protected areas are in clear violation of the 2008 Protected Area law on many counts.

Article 41:2 prohibits the extraction of timber in a manner violating the recognized and authorized access rights. Article 4, states that local communities, indigenous ethnic minorities, and the public have **guaranteed rights** to participate in the sustainable management of the protected area. Article 11 states that permission is only required to enter the core zone and conservation zone of protected areas. Neither Prey Lang Wildlife Sanctuary, nor Prey Preah Roka have been zoned and therefore the requirement for permissions is null.

Furthermore, the Cambodian Constitution, under Article 35, recognises the right of citizens to actively participate in the political, economic, social and cultural life of the nation. And the Protected Area Law under Article 5 requires the responsible authority to 'Promote education and dissemination to the public to participate in the conservation and protection of natural resources within the protected areas,' along with their responsibility to 'investigate, control and crackdown on natural resource offences.'

Forest crimes in the Prey Lang/Prey Preah Roka region increased since Angkor Plywood directors assumed ownership of the Think Biotech operation in Kratie and Steung Treng provinces in December 2018. Local resin collectors reported threats by company representatives to sell their resin trees to the company, or lose them. These threats were reported to both ministry and provincial representatives, who investigated the problems, but took insufficient action.

Since that time, and increasing dramatically since February 2020, as discussed by [Amnesty International](#), coordinated logging is obvious across Prey Lang with new roads visible by satellite, and saw mills resurfacing in Preah Vihear, notably those in the Thy Nga concession, run by Macle Logistics. All of these activities have been communicated to representatives at USAID and also to the Ministry of Environment, but the activities continue unchanged.

There have been more than 116,000 GLAD (Global Land Analysis & Discovery) alerts issued from University of Maryland for Prey Lang Wildlife Sanctuary since February 2020. Moreover, data from the Forest Canopy Disturbance Monitoring (FCDM) tool developed by the Joint Research Centre of European Commission (JRC-EC) show rampant forest loss especially around the Think Biotech Concession in Kratie and around the main road leading from Think Biotech to the core of Prey Lang forest. A [public interactive map](#) shows GLAD Alerts and deforestation detected by the FCDM tool.

We are deeply concerned that the Ministry of Environment is not attending to their duties: to encourage public participation and to control and crackdown on illegal logging. We are also concerned that the USAID Greening Prey Lang project is failing to address the exclusion of community forest protectors from Prey Lang.

The evidence of extensive forest crime is well documented, a small sample of which has been publicized by the [Cambodia Daily](#). At the same time, a national-level investigation in the same area did find forest crimes, but they [have yet to publicize a report](#) or go beyond accusing the usual suspects of wood traders and local criminals.

The actions of Ministry of Environment rangers and officials, and their donors at USAID, are infringing on the human rights of local community members, many of whom are Indigenous, and whose livelihoods, culture and beliefs are directly threatened by deforestation in Prey Lang. Cambodia has adopted the U.N. Declaration on the Rights of Indigenous Peoples, which guarantees rights to self-determination, and economic, social and cultural rights. The health of Prey Lang forest is essential to the health and cultural heritage of Indigenous peoples living around the forest — it is their right to participate in forest protection.

We, the undersigned academics, human rights monitors and conservationists, request that the Ministry of Environment attend to these three questions:

1. Will the Ministry of Environment acknowledge that deforestation within the protected area is clearly linked to the Economic Land Concessions and **shut down the sawmills and timber laundering** within them, and **diligently monitor company boundaries** that border protected areas?
2. Will the Ministry of Environment give a **public assurance that it will promote participation of the public in the protection of natural resources** within all Cambodia's protected areas? Especially working in collaboration with PLCN and other forest defenders, toward the protection of Prey Lang and ensuring that all Department of Environment staff and rangers desist from harassing forest defenders.
3. Will the Ministry of Environment **investigate corruption at the local level** between MoE staff in Kratie, Preah Vihear, Stung Treng and Kampong Thom

Provinces — and illegal logging and timber operations in the area — including: Angkor Plywood, Think Biotech, Thy Nga/Macle Logistics, and PNT?

For USAID, we demand that when evidence of egregious violations of national laws and international frameworks are irrefutably evident, you withdraw your funding and protection. Failure to do so implies approval and complicity.

Awaiting your response.

Yours sincerely,

arranged alphabetically

1. Adriana Nunes, Universidade Federal do Pará, Brazil
2. Alexandra Kent, Gothenburg University
3. Alice Beban, Massey University, New Zealand
4. Amanda Flaim, Michigan State University, USA
5. Anders P Pedersen Rwanda Tree Seed Centre, Rwanda
6. Andreas Langner, researcher (private), Italy
7. Andreas Neef, The University of Auckland, New Zealand
8. Anne Hennings, University of Landau, Germany
9. Annélie Delescluse, Université Paris 1 Panthéon Sorbonne / France
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11. Arnim Scheidel, Universitat Autònoma de Barcelona, Spain
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13. Caroline Bennett, Victoria University of Wellington, New Zealand
14. Catherine Scheer, EFEO/CASE, France
15. Chayan Vaddhanaphuti, RCSD, Faculty of Social Sciences, Chiang Mai University, Thailand
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17. Christopher Tripp, Karlshochschule International University, Germany
18. Claudia Leonor López, Museu Emílio Goeldi, Brasil
19. Courtney Work, National Chengchi University
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27. Derek Charlwood, University Nova Lisbon, Portugal
28. Dimitris Argyriou, Forest & Peoples Organization, Denmark
29. Eleonora Fanari, Universitat Autònoma de Barcelona, Spain
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