



Working Paper 8

New 'webs of power' and agrarian transformations in Cambodia: Where are the women?

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April 2015



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Published by: BRICS Initiative for Critical Agrarian Studies (BICAS)
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Editorial committee: Jun Borrás, Ben Cousins, Juan Liu & Ben McKay

Published with support from Ford Foundation and the National Research Foundation of South Africa.

Table of contents

1 Introduction.....	1
2 Agricultural investments and Economic Land Concessions.....	2
Land is life: Cambodia’s roadmap for land reform	3
Women’s access to land under the auspices of the Land Reform.....	6
3 Where are the women?.....	10
Introducing the field sites	10
Gendered experiences of expulsion, incorporation and resistance.....	11
4 Conclusion	18
References.....	20

Abstract

In February 2012 Economic Land Concessions granted to private companies in Cambodia totalled 2,033,664 ha., and increased to 2,289,490 ha. by June 2013, covering 63 per cent of the country's arable land. Foreign Direct Investment (FDI) inflows to Cambodia grew by 73 per cent from 2011 to 2012. The country, together with Myanmar and Vietnam, is referred to as one of the 'emerging bright spots of the subregion'. The significant rise in private foreign as well as domestic investment has been attributed to a combination of factors including the rise in global demand for natural rubber, the demand for flex-crops such as palm oil and maize and finally exports of food staples, such as rice, to food-importing countries. With over 70 per cent of the population depending on agriculture for their livelihood, the ongoing large-scale acquisition of land is creating a new underclass of 'landless people who have no stake in society and nothing left to lose', with reports from the human rights organisation LICADHO of over 400,000 people having been affected by land-grabbing and evictions since 2003. At the same time, new economic actors, novel coalitions of political and economic interests and new frontiers of land and resources control are being created in a complex scenario where local political elites, classes of landed bourgeois and foreign actors interact and coalesce shaping property and labour regimes, creating 'new legal and practical instruments for possessing, expropriating, or challenging previous land controls' and accumulating capital.

This study will analyse the shifts in land control unfolding in Cambodia, and their broader consequences. The implications of the interaction of domestic and transnational regional – Chinese, Vietnamese and Thai - capital investment will be analysed from a gender and generational perspective, focusing on property and labour regimes, structures of accumulation and processes of social differentiation and class formation. This study will also analyse the underlying politics of accumulation looking at the role of mobilization and resistance, political narratives and discourses, and the emergence and role of new actors and elite classes.

Keywords: Cambodia; gender, generation; economic land concessions; capital investment

1 Introduction

Women are largely absent in land grab debates. Relatively few studies have so far addressed the gender dimension of the latest wave of large-scale land acquisitions, in spite of repeated calls for filling this research void on accounts of its analytical importance (Borras and Franco 2013; Doss et al. 2014; Edelman et al. 2013; White et al. 2012). Even fewer studies have focused on the gender dimension of political reactions from below to land grabbing and on the 'cumulative impact of multiple forms of oppression over the course of a lifetime' in shaping individuals' or groups' likelihood to mobilize around a particular issue (Borras and Franco 2013, 1727).

Focusing on land, labour and resistance, this paper hopes to contribute to a gendered analysis of the impacts of the agrarian transformations unfolding in Cambodia under the auspices of open market policies. The paper is based on a review of existing literature, reports and government documents, key informant interviews and focus group discussions held in Phnom Penh, Ratanakiri and Kampong Speu in March, April and November 2014. The paper also uses a few narratives based on in-depth interviews with selected women to illustrate more vividly women's experiences on the ground.

Cambodia, together with Myanmar and Viet Nam, is referred to as one of the 'emerging bright spots of the subregion' (UNCTAD 2013, 45), attracting investment especially in labour-intensive industries, including textiles, garments and footwear (UNCTAD 2014). The Royal Government of Cambodia (RGC), which aims to reach upper-middle income country status by 2030 and high-income status by 2050, has been actively promoting foreign investments. According to the World Investment Report, Foreign Direct Investment (FDI) inflows to Cambodia grew by 73 per cent from 2011 to 2012 (UNCTAD 2013, 74) and remained stable in 2013 (UNCTAD 2014). Although in absolute terms foreign projects in agriculture fare marginally compared with FDI in tourism, industry and services, the total size of land leased to foreign companies through Economic Land Concessions (ELC) is substantial (Chan et al. 2012, 14), partly as a result of the government's active efforts to promote investments in agriculture with the stated objectives of promoting capital-intensive industrial agriculture, generating state revenues and supporting employment creation and livelihood diversification.¹

With the increase of foreign actors and capital inflow, novel coalitions of political and economic interests, and new frontiers of land and resources control are being created and revamped. Local political elites, classes of landed bourgeoisie and foreign actors interact and coalesce creating 'new legal and practical instruments for possessing, expropriating, or challenging previous land controls' (Peluso and Lund 2011, 668) and shaping property and labour regimes around the accumulation of capital.

Having declared a moratorium on ELCs in 2012, following mounting protests and criticism by civil society organisations and development partners, the government has stepped up efforts to modernise the land sector and complete a land reform based on the precepts of a free market economy. Problems of 'illegal and anarchic land grabbing', as referred to in government policies, misuse of concessions, as well as tenure insecurity are all to be tackled by land titling and formalisation of individual rights. However, accounts of land dispossessions, conflicts and related protests have not ceased and acts of resistance have manifested themselves all across the country through the full range of expressions, from 'everyday forms of resistance' (Scott 1985, 1986) to organised protests and riots.

In Cambodia's highly patriarchal society, women are affected by the creation of new frontiers of (land) control in multiple ways including: in terms of their access to and ability to use land and other resources (Ribot and Peluso 2003) for diversified livelihood strategies; and in terms of their engagement in acts of mobilisation and resistance.

Although gender has not been systematically addressed in research on land grabbing in Cambodia (or

¹ Sub decree No. 146 on Economic Land Concessions (2005).

elsewhere), available comparative evidence indicates that women tend to be more adversely affected than men because of the existence of deep-rooted, structural gender inequalities and differences in women's and men's social roles, rights and opportunities (Behrman et al. 2012; Daley and Pallas 2014; Daley and Park 2012; Daley et al. 2013; Doss et al. 2014; White and Julia 2012). This, however, should not obscure the fact that different women may also have diverse experiences of dispossession and incorporation into new production regimes, benefitting on some fronts while losing on others (Park et al. 2013). Equally, because different women are linked to land in different ways, they do not mobilise and resist against land deals uniformly; thus it is important to integrate gender and other social differences in the analysis of mobilisation (Borras and Franco 2013). In Cambodia, excluded from patronage networks as well as from new configurations of power at multiple levels, urban and rural women have been actively engaging in active forms of resistance, often standing at the very frontline and bearing the harsh consequences of their activism (LICADHO 2014a).²

I begin the analysis with an overview of the current situation of agricultural investments, ELCs and recent developments in the land reform. Then, I look at women's *de jure* and *de facto* access to land in the context of broader land reform initiatives. Finally, I present some evidence from the field, including selected women's testimonies, and turn to discussing some of the implications of the ongoing transformations in terms of gender.

2 Agricultural investments and Economic Land Concessions

According to data from the Ministry of Agriculture Forestry and Fisheries (MAFF), between 1996 and 2012, 118 ELCs were awarded to private investors, comprising 1,204,750 hectares of land – not including concessions below 1000 hectares (LICADHO 2012, 3). However, NGO estimates point to figures above 2 million hectares. For instance, according to LICADHO, ELCs granted to private companies totaled 2,033,664 hectares in 2012 and increased to 2,289,490 hectares in 2013, accounting for 63 per cent of the country's arable land (LICADHO cit. in NGO Forum for Cambodia, n.d.). Another estimate reports that land conceded as ELCs amounted to at least 2,657,470 hectares as of December 2012 (ADHOC 2013, 9). Such discrepancies in figures can be partly attributed to different criteria used to compile the data.

The rise in the number of ELCs granted mirrors the increase of FDI. FDI approved in agriculture was projected at USD674 million in 2011 increasing from USD74.26 million during the 2008 economic recession (Socheth 2013, 8). The significant growth of private foreign, as well as domestic, investment in agriculture is attributed to a combination of factors: firstly, the steep rise in global demand for natural rubber,³ particularly from China, India, Japan and the U.S., following the petroleum prices spike in late 2007 and 2008; secondly the demand for flex-crops such as palm oil and maize; and finally exports of food staples, such as rice, to food-importing countries in the region and the world (Chan et al. 2012, 14). During the period from 2000 to 2010, Thailand stood out as the largest investor in Cambodian agriculture with a share of fixed assets of 21.7 per cent, followed by China with 17.6 per cent. Rising interest in agriculture is also shown by countries such as Vietnam (14.8 per cent), Korea (6.5 per cent), Singapore (4.8 per cent), India (4.4 per cent), U.S. (3.6 per cent) and Japan (1.8 per cent) (Chan et al. 2012, 14). In terms of land, however, between 1995 and 2009, 65 per cent of the total amount of land awarded through ELCs went to Cambodian entities, confirming the importance of the role played by domestic actors and institutions in the land grab phenomenon (Deininger 2011; Fairbairn 2013). The remaining 18 per cent of the land awarded through ELCs went to Chinese

² Boeung Kak lake is a well-known case where activist women have been highly visible, including Yorm Bopha arrested during a protest on accusations of planning an assault on two men and released on bail after over a year in prison (Chakrya and Worrell; International 2013; L.H. 2012).

³ It should be noted, however, that prices of rubber have been declining steadily from 2011 onwards.

companies, 5 per cent to Vietnamese investors, 4 per cent each to Thailand and the U.S., followed by Korea at 3 per cent⁴ (Sochet 2013, 11).

The Cambodian government is committed to continue attracting both domestic and foreign investments and to further pursue integration in the region and internationally through participation in the ASEAN and ‘fulfillment of its role as a member of WTO and other international organisations’ (Royal Government of Cambodia 2013, 22), as stated in the *Rectangular Strategy for growth, employment, equity and efficiency Phase III* (henceforth RS III), that is, the ‘Socioeconomic Policy Agenda of the Political Platform’ of the RGC. The RS III notes that East Asia is playing a key role in:

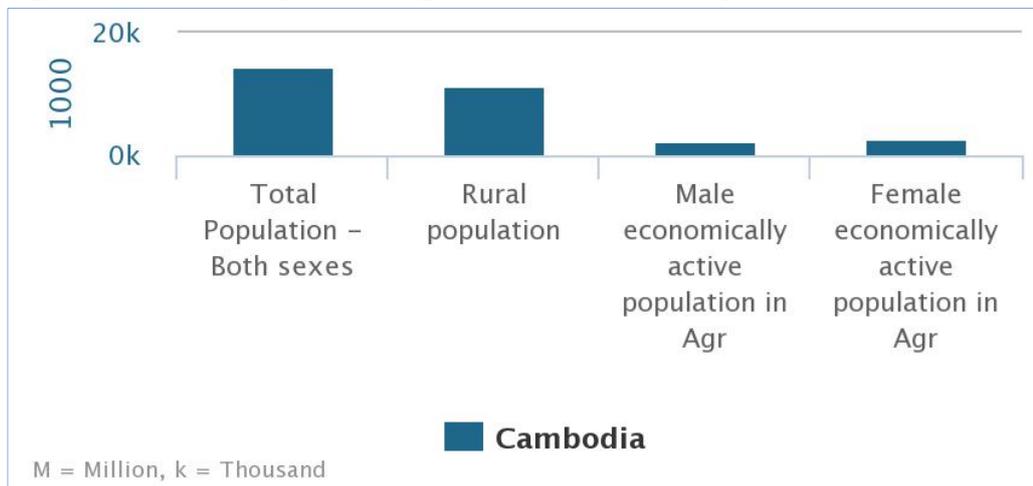
Driving economic growth while initiatives for promoting domestic demand for rebalancing economic growth are taking shape worldwide. As a consequence Asia has turned into an attractive investment destination and market for consumer goods that presents a “**golden opportunity**” for the development and modernization of industry, production and services in the region. Cambodia is situated at the center of this dynamic and growing region, and has the potential to be part of the production networks in East Asia (Royal Government of Cambodia 2013, 10, emphasis in original).

The role of the market as the key driver of the government’s development agenda is clear.

Land is life: Cambodia’s roadmap for land reform

Eighty per cent of Cambodia’s population still resides in rural areas and 64 per cent of the economically active population (EAP) is engaged in agriculture, with women accounting for 51 per cent of the total EAP (FAO STAT). Agriculture contributed 31.6 per cent to GDP in 2013.

Figure 1: Economically Active Population in Cambodia by sex



Source: FAOSTAT

Land reform has been one of the tenets of the government’s roadmap for improved governance of land and sustainable urban and rural development, as outlined in the RS III and recalled by Im Chuun Lim, Senior Minister of Land Management, Urban Planning and Construction, in a recent speech on the Land Policy or

⁴ The figures refer to 86 active projects comprising 1,024,639 ha of land. Unreported and cancelled projects are not included.

Land White Paper (White Paper henceforth). The minister emphasized that land has always been a priority of the government to the extent that ‘land is life’ has become a ‘commonly known slogan.’⁵

The RS III renews the government’s commitment to a land reform programme aimed at ‘strengthening land management, distribution and utilisation of land, ensuring security of land ownership, eliminating illegal and anarchic land grabbing and preventing misuse of land acquisitions and concessions for speculative purposes or without any productive purpose’ (Royal Government of Cambodia 2013, 37). Along the same line, the White Paper clearly frames land reform as a means to support the overarching neoliberal agenda of market economy:

Land management, use and distribution in an equitable, transparent, effective and sustainable manner in order to achieve the national goals on poverty reduction, food security, environmental protection, and natural resources, national defense, and socio-economic development in the context of the market economy (Royal Government of Cambodia 2014).

A key aspect of the reform is the provision of ‘legal rights’ for people, particularly those living in rural areas. The language is telling and affirms the sovereignty of the state over land and its authority to decide which rights are ‘legal’ and thus legitimate, and which are not. In its engagement with ‘land governance’, the government is deploying all three types of state actions discussed by Borras and Franco: 1) simplification through land titling and concessions; 2) assertion of the state’s sovereignty and authority over territory; 3) forced evictions to enforce compliance and ELCs ‘to extend territorialisation and facilitate private capital accumulation’ (2013, 1729).

The formalisation aspect of the land reform has been heavily promoted, following the introduction of the Land Law in 2001, by numerous donor-driven efforts.⁶ The RS III refers to a ‘historic land reform program’ as one of the major achievements of the government’s fourth legislature (Royal Government of Cambodia 2013, 6). According to data referred to by the Minister, more than 3.7 million titles have been distributed so far, covering around 50 per cent of all land parcels in the country; and social land concessions⁷ have been conceded to 310,000 poor households and the families of veterans and soldiers. Over the past two years, the government has distributed 1.2 million hectares of state land to more than 400,000 rural households and is committed to having 70 per cent of all land titled by 2018, and 100 per cent by 2023.⁸ However, efforts to strengthen Cambodian people’s tenure security have gone hand in hand with forced evictions linked to the expansion of ELCs in rural areas and development projects in urban and peri-urban areas.

The 2001 Land Law, which sets the frame for tenure rights in the country,⁹ authorizes the granting of

⁵ Speech given at the opening ceremony of the ‘6th International Summer School on Comprehensive Land Policy – Fundamental for Sustainable Urban and Rural Development’, 12-13 November 2014, Ministry of Land Management, Urban Planning and Construction (MLMUPC), Phnom Penh.

⁶ One of the main programmes was the multi-donor Land Management and Administration Project (LMAP) initiated in 2002 as the first phase of the Land Management, Administration and Distribution Program (LAMDP). LMAP was suspended in 2009 and subject to a World Bank Inspection Panel following a request filed by representatives of residents of Boeung Kak Lake who were excluded from the land adjudication process and faced forced eviction. The Inspection Panel found that a number of World Bank safeguard policies had been breached leading to the arbitrary exclusion of the residents, with implications especially for the poor and vulnerable (Bugalski 2012, 20).

⁷ Under Article 17 of the Land Law, state land may be allocated to persons demonstrating the need for land for social purposes.

⁸ Speech by Im Chuun Lim, Senior Minister of Land Management, Urban Planning and Construction, Phnom Penh, 12 November 2014.

⁹ Article 1 of the Land Law (2001).

land concessions on state private land for either social or economic purposes. Sub decree No.146 on Economic Land Concessions adopted in December 2005 regulates the procedures for the granting and management of concessions, including requirements to conduct public consultations and environmental and social impact assessments.¹⁰ However, its interpretation and application have been problematic, including in respect to consultations, environmental and social impact assessment and more generally, small farmers and Indigenous Peoples' (IP) security of tenure and access to dispute resolution mechanisms. ELCs have been awarded in areas where people had legitimate tenure rights and land titles have been largely issued in areas not affected or earmarked for ELCs (Dwyer 2013). An analysis of the 2001 Land Law notes that land has become 'a commodity through which tycoons of various sorts are kept loyal, and through which a new commercial class of businessmen is generating wealth' (Öjendal and Ou 2013, 376–377), while land tenure insecurity and repeated violations of people's land rights have materialised (Grimsditch and Henderson 2009; LICADHO 2012). According to Springer, 'liberalization has reinforced a system of local patronage by providing the elites more opportunities for enrichment and strengthening of power.' (2011, 2563).

Human rights organisation LICADHO reports that over 420,000 people have been affected by land-grabbing and evictions since 2003 (LICADHO 2012, 3, 2014b). The latest report of UN Special Representative for Human Rights in Cambodia notes that:

While the recent policies and plans hold promise for a resolution to land disputes, they have, to date, been plagued by a serious lack of transparency, accountability and the absence of an effective dispute resolution mechanism. [...] The continued nexus between powerful business elites, political figures and the military, combined with the absence of an independent judicial system and ineffective dispute resolution mechanisms, continues to deny many ordinary Cambodians redress for violations of their fundamental rights or judicious settlement of disputes (United Nations 2014, 13).

In May 2012, in an effort to address the problems and in response to rising pressure from the donor community with commune elections approaching, the government announced a moratorium on ECS and in July issued Directive 01BB on the Measures Reinforcing and Increasing the Efficiency of the Management of Economic Land Concessions (LICADHO 2014b). The Directive, while suspending the granting of ELCs, called for all competent authorities to monitor their implementation, in particular with respect to the principle not to affect land belonging to 'indigenous minorities and citizens' way of life' (Directive 01BB in Rabe 2013). Under the Directive, the Prime Minister also launched a land registration and titling campaign, aimed at increasing people's land tenure security.

Thousands of student volunteers trained in basic cadastral skills were sent off to rural areas to measure the land in conflict between communities, many of which involved IP communities and companies, and the issue of private land titles¹¹ (Rabe 2013; Woods and Bopha 2012). After about six months of the students' activities, more than 100,000 private land titles were distributed nationwide (Woods and Bopha 2012). However, cases of misinformation, lack of transparency and coercion during the process were reported, especially by affected indigenous communities (Rabe 2013, 6), some of which lost access to communal

¹⁰ Land concessions for economic purposes include tree plantations and agro-industrial production of food crops such as cassava, rice, corn and soybeans. Investors who are granted land in the form of ELCs have exclusive rights to manage and harvest the land in exchange for investments, fees and land rental. ELC areas are limited by law to a maximum area of 10,000 hectares per person for up to 99 years. The granting of land concessions on multiple areas to legal entities controlled by the same person is prohibited (Human Rights Council 2012).

¹¹ The results of the demarcation were displayed for a month for complaints and rejections. If the results were uncontested the families were issued a private land title. Uncultivated reserve land was not measured (Rabe 2013, 12).

titling after individual titles were granted.¹² In addition, in spite of the stated objectives, the program avoided areas where conflicts were ongoing and where ELCs had been granted on previously occupied land. In response to an increasing number of complaints filed on the grounds of misinformation, at the time of writing, the government was exploring procedures for members of indigenous communities to revert back to communal tenure if they wish to do so.¹³

Springer advances the hypothesis that the legal framework which was set up around land tenure may be underwriting a system of land and natural resources exploitation and dispossession of farmers (2011, 2563). By placing the burden of proof of property on the farmers and dismissing traditional tenure arrangements based on use, occupation and consensus, the Land Law works to legitimise dispossession by elites (Springer 2013), thus reinforcing a system of patronage networks that are controlled by politico-business elites (Beban and Work 2014; Springer 2011). Dwyer suggests that instead of using the formalisation of property rights to protect smallholders, the government may be using the concession process ‘to create state land legibility’ so that such land may then be alienated to private concession-holders: ‘Formalisation thus becomes a technology for writing smallholders out of the legal picture’ (2013, 14).

The titling campaign undertaken under the egis of Directive 01BB also goes in the direction of creating ‘landscapes of control and appropriation’ (Scott 2012, 34) where simplified tenure systems, by allowing a clear understanding of space, facilitate the exercise of state’s control over such space (Scott 1998). This is an example of the way in which the state engages with large-scale land deals facilitating the accumulation of capital by dispossession (Harvey 2003), but also intervening to regulate the deals, in this case through the moratorium, when the ‘character and extent of accumulation and dispossession processes threaten the legitimacy of the state.’ (Borras and Franco 2013, 1730)

Women’s access to land under the auspices of the Land Reform

According to Cambodia’s first Agricultural Census (2013), 1.9 million agricultural holdings¹⁴ are engaged in farming over a total area of 3.1 million hectares of agricultural land (see Table 2). Of the total number of reported parcels, 97.9 per cent are owned or treated as owner-like possessions.¹⁵

¹² Article 23 of the Land Law recognises indigenous communities’ right to continue to manage and use the land according to their customs; Article 26 ratifies their right to collective ownership of land. Sub-decree No. 83 on the Procedures of Registration of Land of Indigenous Communities, issued only in 2009, sets out the procedure for indigenous land titling and registration. Unless registered under a communal title, land used by indigenous communities is generally considered state land, and thus at risk of being given out as ELCs (Ibid 2013, 13). In the period 2001-2009, before the issuance of Sub-Decree No. 83, more than 610,000 hectares of land were granted to private companies in the form of ELCs (LICADHO, n.d.). As of November 2014, only 9 communities had received collective land use and ownership rights (Müller et al. 2014).

¹³ Comment by Sar Sovanna, Secretary of State and Chairman of Technical Working Group on Land Reform (TWG-L), ‘6th International Summer School on Comprehensive Land Policy – Fundamental for Sustainable Urban and Rural Development’, 12-13 November 2014, Ministry of Land Management, Urban Planning and Construction (MLMUPC), Phnom Penh.

¹⁴ An agricultural holding is defined as an economic unit under single management comprising of at least 2 large livestock and/or at least 3 small livestock and/or at least 25 poultry of any kind and/or land with a size of at least 300 square meters, used wholly or partly for agricultural production purposes regardless of title, legal form or size. An agricultural holder is the person that makes the major decision regarding resource use; exercises management control over the agricultural holding operation; has technical and economic responsibility for the holding; and, may undertake all responsibilities directly or delegate day-to-day responsibilities to a hired manager (NIS 2014).

¹⁵ An owner-like possession refers to conditions that enable a holder to operate it as if he/she is the owner although he/she does not possess title of ownership. These are lands to be inherited and that are still being paid on an installment basis (NIS 2014).

Table 1: Number and Area of Agricultural Holdings with Land in 2013

Number of Agricultural Holdings	1,875,712
Total Area of the Agricultural Holdings (in ha.)	3,071,384
Average Area per Holding (in ha.)	1.751
Total Number of Parcels	3,731,551

Source: NIS, CAC Core Module 2013

While the majority of rural women are employed in agriculture, they own far less land than men both in terms of size, accounting for only 18 per cent of the total land in Cambodia in 2012 (MOWA 2014), but also in absolute numbers, comprising 27 per cent (0.5 million) of all land holders. Male holders represent 73 per cent of all holders (1.4 million) – that is, the ratio is 268 male holders for every 100 female holders (NIS 2014).

With regard to land titled and registered, however, as of September 2013, according to the data of the Land Register database, 63 per cent of the titles were registered in the name of both spouses, 18 per cent in those of wives only, 8 per cent of husbands only and 8 per cent of single people (disaggregation by sex is not included in this latter category), indicating that 85 per cent of the land registered belongs partly or fully to a woman.¹⁶ This is the result of an enhanced focus of land titling programmes on joint titling, including training programmes for Systematic Land Registration (SLR) teams and the recruitment of female assistants to support the process locally.

The White Paper emphasizes that 'gender equality in the land sector is highly needed in society' and acknowledges that there have been challenges in terms of unequal land use rights between women and men, and that women have been more likely to lose 'occupancy and use' rights to land than men (Royal Government of Cambodia 2014). Thus, the policy sets to achieve equal access to information on the policy and other land-related laws, equal access to benefits from programs and activities, joint registration of titles for spouses, provision of titles to women-headed households, support to women's participation in commissions and committees at all levels, participatory spatial planning and land use planning, land distribution through social land concessions among others (Ibid 2014).

Overall the legal and policy framework for gender equality is well established. Cambodia has committed to international human rights and gender equality instruments, including the *International Covenant on Civil and Political Rights (ICCPR)*, and the *Convention on the Elimination of all Forms of Discrimination against Women*, ratified in 1992. Under the 1993 Constitution, women and men in Cambodia enjoy equal rights, including to property,¹⁷ and Article 45 explicitly mandates the elimination of all forms of discrimination against women. According to the 1989 Law on Marriage and the Family, spouses have equal rights to property acquired during marriage, while any property possessed prior to marriage or received as gift and/or inheritance is considered individual property. Joint property may not be disposed of without the consent of both spouses. Each spouse is entitled to use, obtain interests and manage his/her own properties.¹⁸ The Civil Code, entered into force in 2011, has further strengthened the legal framework for gender equality in relation to wedding, divorce, inheritance and immovable property, including the possibility of

¹⁶ 'Global Land Indicators and Cambodian Administrative Data', presented by Luc Yniesta at the "6th International Summer School on Comprehensive Land Policy – Fundamental for Sustainable Urban and Rural Development", 12-13 November 2014, Ministry of Land Management, Urban Planning and Construction (MLMUPC), Phnom Penh.

¹⁷ Article 44 of the Constitution (1993) protects the legal right to property and mandates that expropriation be enforced only on the grounds of public interest and if prior, appropriate and fair compensation is granted.

¹⁸ Articles 32-34, 37 of the Law on Marriage (1989).

stipulating a contract to govern spousal property relationships.¹⁹

In practice, however, in spite of Cambodia being viewed as relatively gender equal, patriarchy is deeply rooted in traditional social norms. The *Chbab Srey*²⁰ (Code of Women), which epitomises ‘male supremacy in Cambodian patriarchal society’, prescribes rules and instructions for ‘appropriate behavior’ for girls and women who are expected to be submissive and obedient to men (MOWA 2014).²¹ Women’s failure to abide by the *Chbab Srey* can result in social sanctions and social exclusion, whereas the *Chbab Pros* (Code of Men) does not impose on men the same pressure as the *Chbab Srey* does on women. Women and children are perceived as subordinate and inferior within the family and in society generally. Consequently, discrimination against women, including violence, is condoned and tolerated (Ibid 2014).

While the rapid economic growth²² is creating new opportunities for women’s emancipation, especially in urban areas, and has been expedited by the use of social media and the migration of young women from rural areas (MOWA 2008, 2014; USAID 2010), progress in terms of the overall empowerment of women is still slow (MOWA 2014, 4). According to the Gender Inequality Index (GII), which measures inequality in achievement between women and men in reproductive health, empowerment, and the labour market, with a score of 0.505 in 2013, Cambodia ranks 105 out of 149 countries – the second to last in the region after Lao PDR²³ (see Table 2 for a comparison with Lao PDR and Myanmar of the main indicators).

Table 2: Cambodia’s GII for 2013 relative to selected countries and groups

	GII value	GII Rank	Maternal mortality ratio	Adolescent birth rate	Female seats in parliament (%)	Population with at least some secondary education (%)		Labour force participation rate (%)	
						Female	Male	Female	Male
Cambodia	0.505	105	250.0	44.3	18.1	9.9	22.2	78.9	86.5
Lao People's Democratic Republic	0.534	118	470.0	65.0	25.0	22.9	36.8	76.3	78.9
Myanmar	0.430	83	200.0	12.1	4.6	18.0	17.6	85.7	82.9
East Asia and the Pacific	0.331	—	72.0	19.7	18.7	54.6	66.4	62.8	79.3
Medium HDI	0.502	—	186.0	42.8	17.5	44.7	53.2	38.7	80.0

Source: Explanatory note on the 2014 Human Development Report composite indices: Cambodia

Women are still under-represented in local politics where parties constitute a conservative ‘bloc of

¹⁹ Article 969 of the Civil Code.

²⁰ The code is a rhyming poem instructing women on how to behave. While widely referred to as an ancient Cambodian tradition, the code is a relatively recent creation and goes back to King Ang Duong, who ruled in 1848-1860. It was revamped in the early 20th century as an example of literature from the golden age of Cambodian history (Evans 2006). According to Trudy Jacobsen: ‘the roots of male chauvinism and gender constructs of women as passive go back to the educational system of the 1950s and 1960s, to the falsely constructed ‘natural place of women in the creation of a national identity, back further to French colonial perceptions of women (which in turn relate to Orientalism as inculcated in the eighteenth century), and to early nineteenth-century Cambodian elites texts authored at the Siamese court.’ (2008, 7–8)

²¹ Although the *Chbab Srey* was eliminated from school curricula in 2007, some aspects are still being used for example to teach Khmer language (Wong 2014 cit. in MOWA 2014).

²² Cambodia’s annual GDP growth was 6 per cent in 2010 and it has been over 7 per cent since 2011. Poverty headcount ratio at national poverty line (percentage of population) has decreased from 45 per cent in 2007 to 20.5 percent in 2011 (World Bank, n.d.).

²³ Gender Inequality Index, <http://hdr.undp.org/en/content/table-4-gender-inequality-index>

patriarchal resistance to great gender equality':

The inclusion of women in politics still faces significant challenges where change is partly resisted and historical social structures prevail. Political change occurs across the board, but gendered aspects of inclusion, participation and equal treatment are possibly one of the more difficult changes to achieve, trapped as they are in patrimonial politics, electoral systems and party politics' (Sedara and Ojendal 2014, 1).

Gender inequalities are still strongly engrained in Cambodian society and the focus on titles for women may not go in the direction of addressing the root causes of patriarchy and gender discrimination or in strengthening women's access to land. Analytically it is useful to contextualise the debate about women's tenure security within the broader discourse and policy orientation of the government's roadmap for economic development, which is firmly grounded on the neoliberal concepts of individualisation of property and commodification of land, as seen above.

The question of whether individual or joint titling can best serve women's interests still divides gender experts and scholars and has been often captured in very polarized positions.²⁴ Monsalve questions the validity of individual titles for women, which she defines as a 'Trojan horse' of neo liberal agricultural and land policies based on individual land titling, and highlights the need to strengthen women's land rights in different tenure systems and 'not only as individual private property' (2006, 200). This point emerged during the *Vía Campesina's* Global Campaign for Agrarian Reform (GCAR) international seminar on 'Agrarian Reform and Gender', held in 2003 in Bolivia. One of the questions probed by participants at the seminar,²⁵ which is highly relevant to the Cambodian context, was:

How secure can individual entitlements to lands for peasant women be when established in a context of privatization and economic liberalisation policies that have already brought about dispossession and loss of land of many families and communities? (Ibid 2006, 198).

Similarly, writing about South Africa, O'Laughlin observes that a narrow emphasis on women's individual land rights embeds neoliberal propositions of commodification of land and privatisation into human rights language: "Concerned with securing the property of those who have, titling excludes those who have not" (2009, 203)

However, Razavi warns about the dangers of such a net dichotomy which:

Precludes the kind of nuanced and conceptualised analysis that is needed to identify situations where inadequate access to land constitutes a serious constraint on women's agricultural enterprises. Nor can it facilitate appropriate policy suggestions to enhance greater justice with respect to resource allocation for rural women – both as wives/daughters within male-dominated households and as members of vulnerable social classes and communities that face the risk of land alienation and entitlement failure in the context of liberalisation. (Razavi 2003, 4)

The debate needs to take into account 'how conjugal relations and the forces that bind agrarian households together are understood' (Razavi 2007, 1496) and stay away from simplifications that ignore the complexity of intra-household relations and strategies, including their 'capacity for diversification,

²⁴ See for instance Agarwal (1995), Jackson (2003), O'Laughlin (2009) and Monsalve (2006).

²⁵ These included representatives of peasant, indigenous and human rights movements from 24 countries.

flexibility in the case of agro-climatic shocks, other kinds of risk spreading (against illness and death, for example), long term investments, social reproduction and so on and so forth' (Whitehead, 19, cit. in Razavi 2007).

Assessments conducted under the SLR programme confirm that the perception of security of tenure is highly linked to intra-household relations and conjugal ties, with the majority (96 per cent) of female respondents appreciating land titles as a safeguard against family crises, such as death of a spouse or divorce (Yniesta 2014). Qualitative research on the impacts of land titling in Cambodia also suggests that some women are concerned that legal rights may not mean they have the ability to exercise those rights in case of dispute (Mehrvar et al. 2008). This last point highlights that women's tenure security may ultimately depend on much more than just having their name on the title, including on their legal capacity, access to information, dispute resolution mechanisms and intra-household gender relations and dynamics. In the context of Cambodia, where tenure security is further strained by the liberalisation and marketisation agenda, this may prove to be particularly troublesome.

Following a brief introduction of the field sites, the next section uses women's experiences as a lens to analyse some of the agrarian transformations that are unfolding in Cambodia.

3 Where are the women?

The extent and scope of the fieldwork undertaken for this paper do not allow for an in-depth analysis and only some initial observations could be made in terms of changing structures of labour and land and gender relations – these would certainly need further exploration. Therefore, the interviews and observations made here cannot be considered representative of what is happening more generally on the ground. Furthermore, it was not possible to disentangle the intra-household gender dynamics, as gender 'differences' are reported mainly as the respondents' own perceptions and accounts.

The following analysis is based on interviews and focus group discussions conducted in Ratanakiri, Kampong Speu and Phnom Penh by myself with the support of a Khmer female interpreter and an IP female facilitator in Ratanakiri.

Introducing the field sites

Ratanakiri is the furthest northeastern province of Cambodia, located at the border with Vietnam and Lao PDR. The improvement in infrastructure has made this frontier province rich in natural resources, more accessible to agricultural investments, particularly rubber (Vize and Hornung 2013, 5). Of the 98 ELCs granted by MAFF between 1995-2009, 10 were located in Ratanakiri (Saing et al. 2012, 49–50). As of 2012, the number of ELCs in the province had grown to 22, 18 of which included rubber as the main or sole investment crop (Human Rights Council 2012, 112–116). The province accounts for 1 per cent of all agricultural holdings in the country covering an area of 82,650.725 hectares and 41,351 parcels. The average area per holding is 3.447 hectares (NIS 2014).



Source: www.mapsoftheworld.com.

Together with the provinces of Monduliri, Kratie, and Strung Treng, Ratanakiri is home to the majority of Cambodia's IPs (Vize and Hornung 2013). There are 23 indigenous groups in the country, scattered over 13 provinces (Ibid 2013), and accounting for about 1.34 per cent of the national population (Indigenous People NGO Network 2010).

Kampong Speu province is located to the west of Phnom Penh and has a diverse topography comprising a large area of lowland paddy fields in the east, lowland/upland mosaics and upland forested areas in the west and Cambodia's highest mountain, the Phnom Aural, in the north. The economy is predominantly rural and consists mainly of rice, fruit cropping and fishery. The province is also well known for sugar cane and sugar wine.

Between 1995 and 2009, MAFF granted 11 ELCs in the province, covering an area of 109,981 hectares (Saing et al. 2012, 47–48). The province comprises 7 per cent of all of Cambodia's agricultural holdings over an area of 131,268.724 hectares, for a total number of 312,858 parcels. The average area per holding is 0.963 hectares (NIS 2014), which is much smaller than in Ratanakiri.

*Gendered experiences of expulsion, incorporation and resistance*²⁶

Inhabited by the Kachat ethnic minority, Kanat village in Andong Meas District, Ratanakiri Province, is one of the IP villages affected by Directive 01BB, which has been heavily criticized by civil society as being a vehicle of dispossessing people of the land and forest resources to which they previously had access. People in the village used to be self-sufficient, combining the cultivation of bananas, corn, and chili for their own consumption, and cassava and cashew nuts for sale to local and Vietnamese traders, with swidden cultivation of upland rice, collection of non-timber forest products (NTFPs), fishing and hunting. Due to the expansion of ELCs, rubber plantations have replaced most forests in the area and the land available to them has decreased dramatically.

According to the community leader, with the implementation of Directive 01BB, all but 10 of the 189 households in the village had their farming land demarcated and received land titles; joint titles were issued to husbands and wives. Families were allotted different amounts of land, 1-2 hectares on average, depending on how much land they were cultivating at the time. The process was quick. It took one day to measure the land, one day to process the applications and two weeks to get the provisional copy of the land title. Approximately 2 to 3 months later, they received the original certificate of title.

With private investors continuing to encroach on their lands, people felt they had no choice but to accept the title. As of 2013, in the district there were 7 companies operating rubber (6) or other agroindustrial crop (1) plantations under ELCs, comprising a land area of 34,610 hectares (Human Rights Council 2012, 112–113). The villagers did not really understand what the students were doing and only subsequently realised that in the process they had lost the opportunity to finalise the process of getting the communal land title,²⁷ as well as access to spirit forest, burial land and communal land for swidden cultivation, all of which are key to their livelihood, identity and spiritual practices. The community leader feels they have been misinformed about the process and is actively advocating for his fellow villagers to support the complaint that two national NGOs have filed on their behalf. Because of his activism, the local authorities have warned him that he could be imprisoned. He emphasises that their cattle have been killed: 'Killing cattle means threatening lives; today they kill the animals, tomorrow they may kill us'.²⁸

The villagers are already experiencing some serious adverse effects of the titling program and

²⁶ This section is based on fieldwork conducted in March-April 2014 and on a policy paper produced in partial fulfillment of PhD course work.

²⁷ The village had already been recognised as a legal entity by the Ministry of Interior.

²⁸ Personal comment by the community leader (the name is not disclosed).

concomitant dispossession from much of the land and forest resources to which they previously had access. The loss of access to forests for hunting and collection of NTFPs caused by the expansion of the ELCs and legitimized by the titling exercise has translated into a significant reduction of people's livelihoods. According to the community leader, before their 'agribusiness' was prosperous and, with access to the forest, they had food everyday. They rarely had to stock food because they could easily get it by spending 30 minutes to 1 hour in the forest. Now, they have no more fish, wild fruits or vegetables. Moreover, they can no longer practice swidden cultivation of rice as there are no more free lands to clear, and they may get fines up to USD200-300 if they enter the company's property. Sometimes they even have to buy rice or get it from other villagers or relatives in exchange for something else. Thus, 'the land concession has affected both their business and their foods'.²⁹

Although people's attachment to land in Kanat is still very strong, the dismantling of the social fabric and identity of this community and the loss of livelihood could result in distress or 'voluntary' sales of land, as has already been witnessed in other villages (Maffii 2010; Rabe 2013). Sales of land have occurred for very little money in other IP villages, especially the ones nearest to the provincial towns, creating divisions and distrust (Maffii 2010). The community leader confirmed that in Kanat too a minority of people are interested in selling the land. As land begins to be divided and sold and the physical and social unity of the village becomes dismantled, it becomes easier for companies and speculators to encroach on more land (Rabe 2013, 24). During our stay, a former local development worker - now real estate agent - visited the village and spent the whole day meeting different villagers. According to the community leader, he has been enticing people to sell their land.

The implementation of Directive 01BB, coupled with the reduced availability of land, has created divisions in Kanat, just like it has been observed in other villages (Rabe 2013, 24). Family members have fights over land and do not want to share the land with relatives who have lost land to the company. The number of cross-village disputes due to the unclear borders near the concession has also increased.

Likewise, social relations of reciprocity and equality are threatened by the privatisation and individualisation of access to land and the social stratification created by the titling exercise whereby some households now own more land and some less. Women, youth and the more vulnerable members of the community are likely to be disproportionately affected by these changes, as position and standing within the community will increasingly be linked to factors such as literacy, and thus access to information, availability of resources and economic power. To that extent, having a joint title may be of little help to these women who are for the most part illiterate. As the following narrative illustrates, women were more broadly concerned with losing the land to the company.

Women including Vouch Lain, Kesor Nhieng , Mum Phyang and Kesorl Phea³⁰ – Kanat village

Most of the women said they share land with the family but had no idea of how the land gets distributed among family members. They work on the fields alongside their husbands and other family members but men do most of the hard work, while they focus on mild tasks such as clearing the farm area. The men are also those who engage in trading. However, it is the women, they say, who decide which crops they should grow and control the money. While some of them are divorced and live separately, both sides of their family still keep in touch and provide financial support to one another when anyone of them is sick or needs money for food, as they say: 'we are all born in the same indigenous group.'

Since the company came they have less food and even water. They think that it is not fair that the provincial governor said that cutting down trees is illegal. While the government allows the companies to legally clear the whole forest, it is illegal for them to cut down a few trees and access the forests for food

²⁹ Personal comment by the community leader, Kanat village, 17 March 2014.

³⁰ Although the group was much larger, it was mainly these four women – aged between 17 and 30 - who did most of the talking.

for their daily lives. They have now lost both communal lands and forest access. The company also created boundaries between their farm and the company's plantation. Because they are illiterate, they feel inferior to the company.

They fear that the land issue has become life threatening for their village. The company set fire in the forest to clear the land and destroyed one of the women's cashew nut areas. Because the company's land surrounds her land, she doesn't even have access to her farmland. Other villagers also lost their crops when the company set the forest on fire. One woman, whose farm had been in the family since her great grand parents, lost all her land to the Vietnamese company.

When the company arrived in 2011, everyone (pregnant women, children, and teenagers) participated in the meetings and protests, with women and pregnant women standing on the frontline during the protests. But now they feel discouraged because of the lack of effective solutions from the government. Because of the painfulness of land grabbing, they are not afraid to die. Their lands are their lives, so they are not afraid to risk their lives to get the land back.

The company has affected their traditional life from food to timber, and the wood to build their houses. This also affects their identity, especially due to the loss of the spiritual forest, and it also causes bad relations among the villagers.

When the student came, most villagers also lost their lands, while only a few people gained land. Being uneducated, they felt powerless. If their lands are continuously taken away, they have no hope there will be land for future generations. And it is possible that the next generation may have to migrate to other areas to find work.

The short-term implications that ELCs are having on people's livelihoods in *Kampung Speu* can already be seen. Most people in the area have lost land to *Phnom Penh Sugar Ltd.*, owned by ruling party senator *Ly Yong Phat*. In all cases, the people interviewed reported that dispossession happened without prior notice or consultation and with coercion. Some families have been 'compensated' and given another piece of land instead. These lands are often in more remote areas, away from the village and from services and infrastructures, including schools, and are of very poor quality. Some families are still waiting to be compensated and are left with their residential land only. Thus, most people in the area have become a 'reserve army of labour' for the plantations and have joined what *Li* has called the 'surplus population of the dispossessed' (*Li* 2011).

Interviews held with women in *Kampung Speu* indicated that women had been and still were, to the extent possible, involved in production for household consumption and for the market as well as in marketing the produce. However, dispossession and relocation had meant that some of them, along with their family members, were now also working as casual laborers on other people's farms or as wage laborers on the sugar plantation that had taken their land away. In most cases, their work burden had increased. A heavier reliance on buying food - if money was available - was also noted as families were no longer able to rely exclusively or mainly on their own production. People's overall perception of security was very low and had little to do with having or not any formal piece of paper. Even when dispossession could be contested on legal grounds since most people had been living continuously on their land for more than five years,³¹ as was the case in the *Kork* village and *Borei Keila*, there was nothing that they could do to avoid the aggressive expansion of the companies.

The interviews also indicated that women have been actively engaging in protests and different types of forms of resistance, including roadblocks, trespassing and damaging the company's property.

The following vignettes, while few in number, illustrate powerfully the issues raised by women in

³¹ Article 30 of the Land Law (2001).

Kampung Speu.

Phai - Orale Commune

Phai, 48 years old, 9 children between the ages of 6 and 24, defines herself as a farmer. She has been working on the sugar cane plantation for two years, but she is still a farmer. Her husband is also a farmer and occasionally a sugar cane worker. Three years ago the company took their land away and they were relocated with other families to an area in Orale Commune where there is no village. Since then the children have stopped going to school because the village where the school is located is way too far to walk or ride a bike to.

In terms of land area they did not lose too much, as they received 6 hectares instead of 7.5. And they were also given a land title. However, before farming was much more profitable because the land was fertile and very close to the irrigation system. They farmed for their daily consumption but also for the market. They could get up to 100 tons of rice per year and earn KHR1-2 million (USD245-290) in 20-30 days. Some months, they would earn USD1,000. This meant that they could also save money and feel more relaxed. In addition to rice, they also grew corn, pumpkins, bananas and papayas. Now their land is less fertile and they get only 40-50 tons of rice per year. This is why Phai has to work on the plantation where she gets KHR 7,000 to 15,000 (USD1.70-3.68) per day depending on how many canes she cuts. The pay varies from KHR15,000 to 20,000 (USD3.68 to 4.00) per 100 bunches of sugar cane – each bunch consists of 15 sugar canes. She prefers to be paid daily but people can also decide to be paid weekly or monthly.

Four family members work on the plantation, including the older children because 'they want to earn money too and at home they get too bored'. But the children do not earn much. When it's not harvest season, her husband also works on the plantation. In fact, there are no requirements to work there; anyone can just show up at the plantation and can also stop working at any time. Her routine changes depending on the season. Before, during the rainy season, she used to work on her family's farm but now their rice field is not productive anymore because of the poor quality of the soil and lack of access to irrigation. The harvest season for sugar cane runs from late September to early April and sometimes until the end of April. She laments being much worse off now because 'they have to spend more time on the field of the company, yet earn very little money - sometimes only KHR10,000 per day (USD2.45) - compared to when they had their own farm.

Before they were able to feed themselves with their own food, whereas now she goes to the market when they have money. When there is not enough money, they eat rice with chili and salt. Moreover, prior to the investment the surrounding areas had forests where they could easily find food and fish, but this is no longer the case.

The amount of work that Phai does has also increased. Her husband does the farming while she has to work on the sugar cane field, manage family income and make decisions on daily expenses. She has to get up very early to go to the company field although she does not have to take care of the children because her mother and eldest daughter are taking care of the younger children and are also cooking for the whole family. Her eldest daughter used to work on the sugar cane field as well, but since she got married and has children, she now stays home and takes care of household chores. The children do not plan to migrate because, she says: 'they are not educated and can only work at the plantation'.

She hopes that the NGOs can help them to get the family's land back for themselves and the other villagers. She also really hopes to get better pay, although the workers do not protest because they are afraid of the company. She works from 7:00 am to 11:30 am and resumes after lunch break from 12:30 to 5:00 pm. The company does not provide them with anything other than a wage. They have to bring their own lunch and buy their own tools (hat, clothes, etc.), including the axe to cut the sugar cane, which the company sells for KHR25,000 (USD6.13). The workers at the plantation come from the area, as well as other places, and are

both male and female, older people, young adults or teenagers. Her children started working for the company when they were 13 years old.

Pon - Kork Village, Orm Leang Commune, Thporng district

Pon is 57 and has 9 children and 14 grandchildren. Both she and her husband were farmers. However, now she works on other people's rice fields in exchange for 1 basket of rice per day. She also works on the sugar cane plantations when she needs money. Her husband is sick and can no longer work. Three of her children are still dependent upon her support. All of them are studying and they work on the plantation when on school holidays. Before their land was taken away, all family members worked on the farm and rice field.

She used to own 4 hectares of farm land, where they grew corn, cassava, winter melons, pumpkins, beans and eggplants, among others, and 3 hectares of paddy land, where they grew rice for themselves and to sell to middle men. She has not received any compensation from the company yet. Her house has not been relocated, but their farmland and rice field were taken away in February 2010.

Her family owned and lived on that land even before Sihanouk's kingdom around 1950, continuing to reside there even during the Pol Pot regime until 2008, when the company started to build a fence around their farm and rice field. They wanted to stop the company but the local authority told her that the land was community land. Two years later, in 2010, the company started to clear their farmland, despite their attempts to stop them. They also asked for help from the court through ADHOC and LICADHO, but received no response. Even though they have owned the land for quite a long time, they did not have a land title.

The land they lost was 7 hectares in total; they are now asking for 3 hectares plus the financial compensation that should include the value of the remaining 4 hectares and other losses faced during the time in which they could not produce anything. The company had offered to give them 2 hectares of land and an extra hectare in another area, but they did not accept the deal because the land offered in exchange is not fertile enough and not suitable for farming (full of rocks, no irrigation). Thus, the company is looking for another piece of land; however, they will not close the deal until the NGOs confirm that the land they will receive is not involved in any disputes.

Her farming and rice field was very profitable. She could get up to 360 baskets (one basket is about 10 kg) of rice per year. She could access the forest to get wild fruits and vegetables, fishes, frogs, snails, etc. So their daily food was very abundant. She rarely went to the market. Instead now they have to buy food from the market and had to get a bank loan because their income is so low.

Since early 2014, she noticed that the company is actively seeking to cooperate with the villagers and compensate them. She has also met directly with *Oknha* Ly Yong Phat twice, in the village and at the company. Usually, the right hand man of *Oknha* Ly Yong Phat is the one who negotiates with the families but in this case, the senator himself was meeting the families directly.

Pich - Koum Village, Orm Leang Commune, Phlorng district

The government said it wants to eliminate poverty. That's right. It is eliminating all the poor.

Pich (not her real name) is 54 years old, is married and has 8 children, ranging from 12 to 30 years of age, three of whom still live with her and her husband. Two of the three are still in school. The other one used to work for the company but was fired because his mother is a land activist. Her eldest son used to work as a security guard for the Chinese company HLH but died from an accident while on duty. The company paid them USD1,300 as compensation but, in exchange for that, she had to sign a paper ensuring that she would not file a complaint against the company.

Her family used to own approximately 20 hectares of land. In 2010, the company and the village chief called a meeting about the company's investment plans in the area; they did not mention that their lands would be affected. The villagers did not agree to the investment as they had heard about *Oknha*³² Ly Yong Phat's company land grabs in Koh Kong Province. However, one day later the company tractors, 15-20 of them, accompanied by the local military started to clear their farmland without any prior notification. The villagers tried to stop the tractor drivers; they were also running back and forth to the local authorities (the district head and village chief) to ask them to stop the company's activities. At the end of the same day, one of the company's tractors was burnt down during the negotiations with Ly Yong Phat's wife over the compensation of 100USD/hectare. They were told that if the families did not accept this, they would just receive nothing. 'I don't have any idea of who did this as there were thousands of villagers running around chaotically'.

The company compensated Pich with only 3.2 hectares of land, while she received nothing for the remaining 17 hectares. Before giving them the new land, the company issued a 'recognition paper' with information on the location and size. After receiving the land, they had to give that paper back to the company. However, she made a color photocopy of that paper and gave it to the company while keeping the original for herself as evidence 'just in case there are any future problems'. She is going to give 0.5 hectare of land to each of the 3 children who are currently under her support, as the other ones are married and have their own farmland, and keep the rest for her and her husband.

A small portion of her current land is used for farming while the rest is for rice. It is poor quality land and not very productive; some parts are full of rocks. Prior to the investment, she had two types of farm land: land for growing mangoes, coconuts, jack fruits, corn, beans, winter melons and pumpkins; and paddy land for rice. Thus, she had to hire labor to help on the farm. Her family was much better off: they had more income from their farming and the children could access higher education. She could also get produce from the forest such as wild fruits and vegetables. After the company came, she lost access to the forest, did not have a field to raise the cattle, and her new land is less fertile and smaller. This leads to low rice productivity and less income.

Pich is an activist and has been so far working with different NGOs. The reason why she does not want her name to be disclosed is that she has been on the news and also involved, along with other people, in protests to stop the company's activities, including blocking roads around the plantation. As they have been trained by the NGOs, they know about non-violent protesting. She has not been involved in any violence, even during the land clearing. However, the court has summoned her for destroying the company's properties. Because of her activism, party members are constantly observing her in the village. Most of the time, she has her sons and husband lie to these observers that she has to have a medical check in Krong Speu, while she may actually be gone to meetings with the NGOs in Phnom Penh.

Each village has 2-3 representatives. They have to secretly call meetings that usually take place at night, so that the commune leader or village chief does not know about them. She does not use the phone to invite people, as she does not have enough money for the phone calls, but also thinks that talking to people is more effective because she can give detailed explanations and concrete information to each family.

Since she started working on the 'land issue' in 2010, her health has worsened, as she has to walk from one village to another to check the company's response to their requests - whether they have complied with what they promised. She is also the one who works closely with the community and reports back any new request to the company.

In addition to herself, there are 3 or 4 female representatives from her village. She has not found being a woman an obstacle in talking to men because all family members usually listen and are willing to work together to get the land back. Sometimes the husbands have to work outside and are not there, but they

³² Honorific title bestowed upon business people who make substantial financial contributions to national development projects. The number of Oknha has increased from 20 in 2004 to around 700 in 2014 (Odom and Henderson 2014).

ask their wives to receive the information from her. 'But when they have to advocate in court, both husbands and wives join'. People listen to her because they trust her; furthermore she is confident and brave enough to talk with high ranking officers, *Oknha*, as well as the district chief. Thanks to the training she received, she feels she has gained more knowledge on human rights, the land concession law and policy. Before going out for any activity, however, she has to consult with the NGOs.

When she started working on the land issue, her husband hesitated to support her involvement. However, after her arrest thousands of villagers showed their support, so her husband changed his mind. She also discusses her decisions with her husband.

Since a negotiating meeting was held at the Sunway Hotel in Phnom Penh, 15 March 2014, she has been engaged in investigating the company's response to their requests. The company is working on the exchange for the remaining 10 families who have not yet received any land. The process is not finished due to disagreements among the families themselves. One of the 10 families agreed to receive the financial compensation instead. She finds that now the company is helping their village more, including by building a road from the main street to her house. It is also constructing a new building for the school in their village and pays the salary of the kindergarten teachers in two villages, Kork Village and Kum Village. 'I have no idea when the company will stop helping with the salary for the teachers. But currently, at least they are cooperating with the villagers. Additionally, they hire the unemployed villagers to help with the construction works in the school area'. The company has promised to give land titles only to those families whose lands are on the main road. She has raised this issue during the meeting but in response she was told that it is not possible because the opposition party has won the elections in her village.

Noticeably most women interviewed in both in Ratanakiri and Kampong Speu reported having being engaged in some form of protest. In some cases, they had emerged as community leaders and identified themselves as 'land activists'. These women appreciated the opportunity to have been trained by different NGOs and have become more aware of land issues, government policies, and their rights. They also reported having gained their husbands' support in spite of initial skepticism. This is in contrast with findings from a recent report by LICADHO (2014), which highlighted that female land activists often suffer from impacts such as domestic violence and family breakdown. However, it confirms that women's resistance also needs to be understood in terms of the social construction of gender roles, as Agarwal highlights in her analysis of women's land rights in the south, where she indicates that women's struggles for community land use rights also represent a struggle over meanings, that is, over women's public roles and freedom to express themselves (Agarwal 1995).

As way of comparison, I also interviewed some female activists, victims of the Borei Keila evictions, in Phnom Penh. In an urban setting where communication and networking is easier, these women had self-organised themselves into a group and were actively managing a common agenda of meetings and protests.

Kimhorn – Phnom Penh

Kimhorn, 35 years old, and married with 2 children, is a land activist in Phnom Penh. She used to work at home as a tailor but, having lost all her possessions during the eviction, including her sewing machine, she is currently unemployed. According to the police, however, she is a 'professional protestor'. Her husband is a moto-taxi driver. He used to be an information officer with the government but was fired for having taken part in the protests against the evictions.

Kimhorn and her husband are victims of the Borei Keila evictions, along with hundreds of families evicted from their homes in 2012, when the Phan Imex company bought the development rights to the area. She had been living in Borei Keila since 1993, while other families had moved there before or slightly later. Based on the Prime Minister's speech – she emphasises – families were entitled to officially own the land if

they lived on it for 5 years consecutively.³³ But they were forcibly evicted and their houses torn down in spite of having shown the family book certificate, citizenship card, and birth certificate, which specifically identified them as residents of the Borei Keila area.

After the eviction happened on 11 January 2012, the families started to form into groups, living under the same tents and the stairs of the building. They wanted to stand up against the company's cruelty and seek justice. One evening the police came by and destroyed all their belongings. Some women were also sent to the prison and to the Prey Speu Rehabilitation Center.

In 2012, the group was mixed. After the local authority arrested 8 men who were beaten cruelly, being women and wives, 'we were worried about our husbands' security'. So they formed into women and children only groups and started to stand up instead, as they believed that the local authority would not be as cruel as they were to the men. But this has not been the case. Her most terrible experience was when they were protesting in front of the Prime Minister's house. They were beaten by the police, even though they are women.

At first, there were 117 women, representing 117 families. Now there are 156 women in their group. What they all believe in is strong solidarity within the group. The common fight against the company has made the women in her community become stronger and more confident in engaging with advocacy and fight for justice. Besides this, their work also includes filing legal complaints to court, ministries, embassies and NGOs. But so far, there is no response or any proper solution for their request yet.

The group has 7 representatives whose roles are to be the main decision makers. She is one of them and has to prepare their plans with the other representatives. After reaching agreement among them, they call the rest of the group for the final meeting and inform them about the plan. She has to prepare a clear plan, prepare the documents, and invite the members to join the meeting to inform them about the route of their protesting parade, which street they should walk, etc.

Sometimes they work 7 days per week, or 2 to 4 days per week, as they also focus on other issues such as human rights. For example they filed a complaint to the European Union based in Phnom Penh. And they also help other protesting groups in other areas, like Boeung Kak, when needed.

Even though she did not receive any formal education from school, she has learned and received a lot of training from civil society groups and NGOs, for instance, on the process and how to advocate and form groups for protesting, what peaceful protesting is, the impacts and so on.

At the moment she does not have any plans to get involved in politics. All she can see is to do something for the future of her kids. She wants to support protesting for other Cambodians who suffer from the same issues.

In both rural and urban contexts, the repeated assertion that women stood up so that they could defend their men is telling. But it perhaps confirms the fact that women's movements have frequently acted in the 'interstices of 'male' politics to advance their interests', especially in community-based struggles (Ergas 1996 and Klubock 1998 cit. in Beckwith 2000). In addition, the range of available responses by the state 'may also be gendered' vis-à-vis its ability to confront women's collective action (Beckwith 2000, 448) and change over time, creating opportunities or constraints for women's mobilisation.

4 Conclusion

From a gender perspective, this paper sought to explore the implications of the ongoing agrarian transformations, which have been produced by capital's penetration in rural Cambodia under the

³³ Article 30 of the Land Law (2001).

government's agenda of a market economy. Although the limited extent and scope of the fieldwork did not allow for a full and in-depth exploration of issues, some initial observations were made that could inform future research agendas.

The legal and policy framework for gender equality is well established in Cambodia and progress has been registered in many areas, notably educational attainment and health. However, traditional norms and customs, embedded in a highly patriarchal and hierarchical social system, still hamper the achievement of *de facto* gender equality, notably in terms of access to resources and political participation. At the same time, the government is mainstreaming gender equality in its main policies and strategies including the White Paper. With regards to land, this is translating mainly in the promotion of joint titling for spouses. And although there is a risk that women's land rights may be used as a 'Trojan horse' for the neoliberal agenda of individualized property (Monsalve Suárez 2006; O'Laughlin 2009), research has indicated that the general perception of women is that land titles lead to increased security, especially in the case of divorce or widowhood.

More generally, registration and titling have been heavily promoted as a means to increase people's tenure security, especially in rural areas. However, this has gone hand in hand with increasing conflicts, dispossessions and evictions, and disintegration of communal land, often linked to ELCs, as well as protests and different expressions of resistance. The sites visited provided examples of all of the above.

In terms of access to land, people in Ratanakiri fared better than those in Kampong Speu. In spite of having lost access to communal, burial and spirit land, they were able to retain their farmland and were cultivating for their own consumption and for sale in the market. No one from the village was yet engaged in wage work with the rubber company or planned to do so. Thus, the company was relying mainly on Khmer immigrants from the lowlands or Vietnamese nationals. However, people were deeply concerned by the company's continuous expansion and demarcation of boundaries and the lack of support from the government. Furthermore, the commodification and individualization of land was already putting strains on the social fabric of the village, which was further exacerbated by the social stratification created by the titling exercise. Loss of access to forests also affected people and notably women in terms of availability and accessibility of NTFPs. In the long run, it could be women and youth who are most affected by the changes, as land becomes increasingly scarce and a commodity that can be sold.

In contrast, people in Kampong Speu were severely affected having lost land to the sugar plantations in the area. The lands they were left with or which they had received in exchange were of very poor quality as well as, in many cases, far away from the village. This had implications for household livelihoods and affected children's schooling. Most people, especially women and children, had to resort to working on the plantation as casual and seasonal workers. Although this was not considered a 'good job' and in spite of the poor conditions and lack of security, people still saw it as the only viable alternative they were left with. Women's perceived work burden had increased because they took up work on the plantation in addition to their own farming.

In both sites, women stated that they had been engaged in the forefront of overt and covert forms of resistance initially as a strategy to curtail police and military reactions. In the process, this had led to some of them taking on leadership roles within their communities. In Kampong Speu there were also signs that the company was responding to the pressure exercised by local resistance, NGOs and increased media and donors' attention. In a more interconnected urban context, women had self-organised themselves in groups in which planning and strategizing for organised resistance was well established. When in confrontation with the state, women seem to have been able to take advantage of their perceived 'weaker' power and status to establish their participation in the politics of resistance. To what extent this may lead to actually subverting hierarchies of powers still remains to be seen.

In Cambodia we are undoubtedly witnessing processes of adverse incorporation and social exclusion that are affecting different people in multiple ways as well as the shaping of diverse forms of women's

activism - although here I did not attempt to categorise these forms against different existing definitions of women's movements (Beckwith 2000). Historically, women's activism has not always translated into an advancement of women's interests (Agarwal 1994; Molyneux 1985) but in some cases there have been signs that it contributed to a renegotiation of gender relations and power hierarchies (Morgan 2011), as perhaps the occurrence of domestic violence against female land activists might indicate (LICADHO 2014a). This raises numerous questions that could be addressed by further research on the topic.

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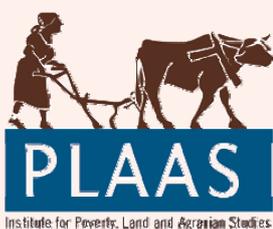
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New 'webs of power' and agrarian transformations in Cambodia:
Where are the women?