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**KINGDOM OF CAMBODIA**  
NATION RELEGION KING

**ROYAL GOVERNMENT  
OF CAMBODIA**

Number: 06 BRK

Phnom Penh, September 27, 1999

**DECLARATION (SECHKDEY PRAKAS)**

**ON THE MEASURE OF ELIMINATING ANARCHICAL**

**LAND ENCROACHMENT**

Having seen that even though there are the policy on land management and use, the land law 1992, and other rules and regulations subsequently issued by the Royal Government in order to strengthen, as plan, the effectiveness of the management and use; there are still some speculators who continue to take the opportunity to create anarchy in land encroachment in the manner of the development areas or the individual ownership. In the last few years, there are land encroachment problems by building the house, huts, cottages, or planting [cultivating] on state land, water reservoirs, natural protected areas, national parks, wildlife sanctuary, reserved areas, road and railway corridors land of investment companies, and private land in many areas, especially along the main national roads and the railway. If such anarchy continues to exist , it will creates obstacles and serve impacts on the current and future development plan of all sectors .

Facing this problem, the Royal Government immediately needs to put in place the following measures:

- 1- Do not provide the private right on the state land such as reserved forestland, fishing area, water reservoir, natural protected area, national park, wildlife sanctuary , inundated forest area, mangrove land, forest plantation, rubber plantation, agricultural technical station and center, mine area, cultural patrimony, pagoda, school, public park, reserved area, road and railway corridors, as well as land of the investment company, and all legally private owned land and places throughout of the country and shall stop the land encroachment immediately on the abovementioned land and other land which are the state public property and the state private property.
- 2- Absolutely prohibit the subsequent issuance of the application form for land possession and the certificate of land possession obtained through the way of the abovementioned violence and shall take strict measure in accordance with the existing law.
- 3- All levels of local authorities shall investigate immediately and conscientiously on all illegal land encroachment occurring in their provincial/municipal territories and shall immediately put in place the prevention measures based on current principles of law.

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- 4- If such anarchy problem is still occurring in any questioned provincial/municipal territory, the territorial authority of that area shall be independently responsible to resolve it. If facing difficulty, the provincial/municipal authority shall request, as necessary, immediate intervention from the relevant competent institutions.
- 5- The General Commander in chief of the Royal Armed Force, the General Commander in chief of the National Police, the Commander in chief of the National Armed Force, the Commander in chief of all Military Region, and the concerned ministries/institutions shall facilitate and co-operate timely [on time] with the provincial/municipal territorial authority according to actual request.
- 6- If an individual or entity subordinating to any ministry/institution or any person conducts directly or indirectly the illegal land encroachment, the ministry/institution or the authority of that area shall give instructions and encourage that person or entity to stop the illegal activity and make them pull down the illegally built construction in accordance with the determination of local authority without any condition. If they fails to follow this instruction, the concerned ministry/institution and the competent authority shall penalize the person and deprive his position according to existing law and to the degree of the offence.
- 7- The Ministry of Agriculture, Forestry and Fisheries shall cooperate with the Council for the Development of Cambodia and the province/municipal authorities to actually investigate all land investment companies and land owners of large dimension, which previously obtained the legal investment principle for a long time ago, but keep that land in vacant without operating [exploiting] following the contract. The concerned competent authorities shall seriously take the measure in according to the existing law.
- 8- The road and railway corridors reserving for the infrastructure shall be limited as follow:
  - . National Road having one digit number like road No 2, 3, 6, 7 are limited to 25 m for both sides from axis of road, except the National Road number 1, 4, 5 *which* are limited to 30 m for both sides from the axis of road.
  - . National Road having two digit number like 11, 22, 64, 78 are limited to 25 m for both side from axis of the road
  - . Provincial Road : both sides from the axis of the road are limited to 20 m
  - . Commune Road : both sides from the axis of the road are limited to 15 m
  - . These limitations shall not be applied to the urban area.
  - . Railway : both sides from the axis of the way are limited to 20 m for city, provincial town and urban area.
  - . Railway : both sides from the axis of the way are limited to 30 m for the way outside the City
  - . Railway : both sides from the axis of the road are limited to 100 m for the way in the forest and mountainous area with the sliding down rock or in the high wood area.

For other state public and private property shall be separately determined.

- 9- The Ministry of Interior in collaboration with the Ministry of Public Works and Transport, the Ministry of LMUPC, the Ministry of National Defence and the Ministry of

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Economy and Finance shall determine the appropriate time for the provincial/municipal authority to pull down the illegal construction and take it away from road and railway corridor. For the path shall be participated by the ministry of rural development.

10- The immediate challenge and urgent, the Royal Government authorizes all level of territorial authority to start carrying out their work along the national road number 1 and 4 and along the railway in Phnom Perth City and continue to implement in other areas in respect to priority.

11- The Provincial/Municipal Land Dispute Settlement Commission throughout the country shall investigate the implementation of the provincial/municipal territorial authority and report to the Royal Government about their achievement and the difficulties in the implementation, so the Royal Government could take the appropriate measure.

Upon receiving of this declaration, the concerned ministries/institutions, the Headquarter of the Royal Armed Force, the General Directorate of the National Police, and all level of territorial authorities shall widely disseminate and try the best to effectively implement this measure.

**Prime Minister**

**Hun Sen**

**CC:**

- . Cabinet of King
- . Secretariat of Senate
- . Secretariat of National Assembly
- . Ministry of Royal Palace
- . Ministries, Secretary of State, and Institutions
- . Cabinet of Prime Minister
- . Cabinet of Deputy Prime Minister
- . All Provinces/Municipalities
- . Documents