

This letter was translated from the Khmer Official Letter.

His Excellency Mr. Suy Sem,
Minister of Mines and Energy,
Ministry of Mines and Energy,
No. 79 – 89, Pasteur (Street 51),
Phnom Penh.

31 October 2016

Civil Society Open Letter Seeks Clarification Regarding Sand Exports

Your Excellency,

We, the undersigned civil society organizations (“CSOs”), are writing to request clarification regarding the sand exported overseas by Cambodia, during the period 2007 to 2015. His Excellency Dith Tina, Secretary of State and spokesman for the Ministry of Mines and Energy (the “MME”) has been quoted¹ as saying that Cambodia’s global sand exports amounted to 10,669,212 cubic meters² (just over 17 million tons) between 2007 and 2015. However, the only official export data issued to date by the RGC in relation to sand exports, from the Ministry of Commerce (“MoC”), only discloses sand exports to Singapore for the same period, totaling about 2.8 million tons. The RGC is yet to explain to which other countries it is exporting sand to, or at what price this sand is being sold for.

Specifically, we ask the following questions: Will the MME, the MoC or the Ministry of Economy and Finance (“MoEF”)’s Department of Customs and Excise disclose the countries Cambodia has exported these 17 million tons of sand to, as well as the value of these exports, per country and per year? Secondly, can any Ministry disclose what percentage of this figure of overall exports of sand is from freshwater sources (such as creeks, rivers, lakes, etc.) and what percentage is sea sand³ (i.e. from coastal estuaries)?

According to data from the MoC, Cambodia exported a total of about 2.8 million tons of sand, valued at just over 5.5 million USD, to Singapore between 2007 and 2015. However, the United Nations’ Commodity Trade Statistics Database⁴, which mirrors data from the Singaporean government’s department of trade statistics⁵, shows figures of 72.8 million tons of Cambodian sand imported into Singapore. Can the MME, the MoC or the MoEF explain this gap of over 69.9 million tons of sand, valued at 746.5 million USD, between the amount of sand the RGC reports having exported to Singapore, and the amount of sand the Singaporean government reports having imported from Cambodia?

¹ Radio Free Asia, 24 September 2016. Available at: <http://bit.ly/2epNEQr>; Radio France International, 09 October 2016. Available at: <http://rfi.my/2f2G5RU>

² Total figures for sand exports to all countries Cambodia has exported sand to since 2007.

³ Coastal estuaries along Koh Kong coast are regarded by the RGC and local communities as ‘sea water’, because of a higher concentration of salt water when compared to freshwater.

⁴ United Nations Commodity Trade Statistics Database. Available at: <http://comtrade.un.org/data/>

⁵ Singapore Trade Statistics, Government of Singapore. Available at: <http://bit.ly/2dH7Eiz>

Your letter of 17 June 2016⁶ stated that you welcome requests by the public wishing to access documents relevant to sand mining in Koh Kong, such as Environmental Impact Assessments (“EIAs”) and hydrological reports, etc. We appreciate your stated commitment to transparency, and we request that you follow through on this commitment by providing the information requested in this letter, in full. More generally, we strongly urge you to make all EIAs and hydrological reports in relation to sand dredging publicly available as soon as possible, to enable scrutiny by members of the public, affected communities and civil society. Specifically, we request that the MME makes these documents available via its own website, or if not possible, that it digitizes them and sends them to the undersigned CSOs. Such a move would demonstrate the RGC’s commitment to inclusive, sustainable development, as outlined in the 2030 Agenda for Sustainable Development.

Sand dredging, even when conducted with good intentions, can have a significant impact on local communities and the natural environment.⁷ We, the undersigned CSOs, are deeply concerned that the livelihoods and human rights of affected communities continue to be adversely affected by sand dredging in Cambodia. Further, we are concerned about the long-term impacts of sand dredging on Cambodia’s natural environment. We note the decisions of the governments of Vietnam, Indonesia and Malaysia to ban or restrict sand exports to Singapore due to environmental concerns, and we urge Your Excellency to consider instituting a similar ban or restriction in Cambodia, in the interests of Cambodia’s long-term sustainable development.

We remain willing and available to work with the RGC to protect Cambodia’s natural resources, as well as the livelihoods and human rights of people living in affected communities, and in the pursuit of Cambodia’s sustainable development. We appreciate your consideration of our requests.

Yours sincerely,

No	Name of CSOs	Name	Contact
1	<i>Affiliated Network for Social Accountability Cambodia (ANSA)</i>	<i>Mr. San Chey</i>	<i>012 445 642</i>
2	<i>Boeung Chhouk Community (Phnom Penh)</i>	<i>Ms. Kheiv Chenda</i>	<i>092 582 493</i>
3	<i>Boeung Kak Community (Phnom Penh)</i>	<i>Mr. Chan Puthisak</i>	<i>012 910 023</i>
4	<i>Boeung Trabek Community (Phnom Penh)</i>	<i>Mr. Khut Bunthan</i>	<i>012 214 237</i>
5	<i>Borei Keila Community (Phnom Penh)</i>	<i>Ms. Chhay Kimhorn</i>	<i>017 522 303</i>
6	<i>CamASEAN Youth's Future (CamAsean)</i>	<i>Mr. Srun Sron</i>	<i>093 600 234</i>
7	<i>Cambodia Development People Life Association</i>	<i>Ms. Ken Chhenglang</i>	<i>012 366 859</i>
8	<i>Cambodia Indigenous People Organization (CIPO)</i>	<i>Ms. Yun Mane</i>	<i>012 317 368</i>

⁶ Letter by Minister of Mines and Energy, H. E. Suy Sem, number ០៩៤៩៧៧៧ 17 June 2016.

⁷ For more information, please see: CCHR Briefing Note, ‘The Human Rights Impacts of Sand Dredging’, September 2016. Available at: <http://bit.ly/2epSPQC>

9	<i>Cambodia Indigenous Youth Association (CIYA)</i>	<i>Mr. Chhoem Samut</i>	<i>012 960 515</i>
10	<i>Cambodian Center for Human Rights (CCHR)</i>	<i>Mr. Vann Sophath</i>	<i>012 941 206</i>
11	<i>Cambodian Human Rights Action Committee (CHRAC)</i>	<i>Mr. Ieng Pich</i>	<i>092 344 357</i>
12	<i>Cambodian Human Rights and Development Association (ADHOC)</i>	<i>Mr. In Kea</i>	<i>015 836 838</i>
13	<i>Cambodian League for the Promotion & Defense of Human Rights (LICADHO)</i>	<i>Mr. Thav Kimsan</i>	<i>012 807 763</i>
14	<i>Cambodian Youth Network (CYN)</i>	<i>Mr. Tim Malay</i>	<i>017 990 689</i>
15	<i>Coalition for Integrity & Social Accountability (CISA)</i>	<i>Mr. Him Yun</i>	<i>012 947 022</i>
16	<i>Coalition of Cambodian Farmer Community (CCFC)</i>	<i>Mr. Theng Savoeun</i>	<i>012 707 381</i>
17	<i>Community Legal Education Center (CLEC)</i>	<i>Mr. Nhek Sarin</i>	<i>012 800 561</i>
18	<i>Community Peace-Building Network (CPN)</i>	<i>Mr. Seng Sokheng</i>	<i>092 324 668</i>
19	<i>Dork Por Community (Takeo)</i>	<i>Mr. Sem Bunly</i>	<i>017 975 964</i>
20	<i>Equitable Cambodia (EC)</i>	<i>Mr. Eang Vuthy</i>	<i>012 791 700</i>
21	<i>Former Boeung Kak Women Network Community (Phnom Penh)</i>	<i>Miss. Im Sreytouch</i>	<i>070 306 607</i>
22	<i>Housing Rights Task Force (HRTF)</i>	<i>Mr. Sia Phearum</i>	<i>012 852 325</i>
23	<i>Independent Monk Network for Social Justice (IMNSI)</i>	<i>Ven. Buth Buntenh</i>	<i>016 666 042</i>
24	<i>Indigenous Youth (Preah Vihear)</i>	<i>Mr. Lout Sang</i>	<i>097 456 6466</i>
25	<i>Indradevi Association (IDA)</i>	<i>Ms. Dy Ratha</i>	<i>012 897 161</i>
26	<i>Khmer Youth Association (KYA)</i>	<i>Ms. Sith Hong Eang</i>	<i>017 788 955</i>
27	<i>Koh Srolao Community (Koh Kong)</i>	<i>Ms. Nak Sopheab</i>	<i>015 304 815</i>
28	<i>Kuoy Ethnic Community (Preah Vihear)</i>	<i>Ms. Nuon Mun</i>	<i>097 773 7549</i>
29	<i>Land Community, I Village (Preah Sihanouk)</i>	<i>Ms. Hang Chenda</i>	<i>012 680 435</i>
30	<i>Land Community, Prek Chik Village (Koh Kong)</i>	<i>Ms. Phav Nhieng</i>	<i>093 456 704 077 537 652</i>
31	<i>Land community, Traeng Trayueng Commune (Kampong Speu)</i>	<i>Ms. Rem Phall Chanly</i>	<i>010 666 976</i>

32	<i>Land Conflict Community, Krenh Village (Pailin)</i>	<i>Mrs. Ourm Som Oul</i>	<i>096 847 0335</i>
33	<i>Land Conflict Community, Krous Village (Battambang)</i>	<i>Mr. Lun Keila</i>	<i>078 72 67 23</i>
34	<i>Land Conflict Community, Skun Village (Siem Reap)</i>	<i>Mr. Vich Vy</i>	<i>088 22 95 297</i>
35	<i>Lor Peang community (Kampong Chhnang)</i>	<i>Ms. Um Sophy</i>	<i>078 705 936</i>
36	<i>Mother Nature (MN)</i>	<i>Mr. Alejandro Gonzalez Davidson</i>	<i>015 426 404</i>
37	<i>Not one more (NIM)</i>	<i>Ms. Fran Lambrick</i>	<i>096 537 4743</i>
38	<i>People Improvement Organization (P.I.O)</i>	<i>Ms. Noun Phymean</i>	<i>012 530 093</i>
39	<i>Phnom Bat Community (Kandal)</i>	<i>Ms. Khei Lay</i>	<i>011 25 00 81</i>
40	<i>Ponlok Khmer</i>	<i>Mr. Ang Cheatlom</i>	<i>012 517 943</i>
41	<i>Railway Station, Toul Sangkae A community (Phnom Penh)</i>	<i>Mr. Sim Virak</i>	<i>069 907 983</i>
42	<i>Samkum Teang Tnaut (STT)</i>	<i>Mr. Soeung Saran</i>	<i>012 836 533</i>
43	<i>SILIKA</i>	<i>Ms. Thida C.Khus</i>	<i>012 838 464</i>
44	<i>SOS International AirPort Community (Phnom Penh)</i>	<i>Ms. Chray Nim</i>	<i>016 536 900</i>
45	<i>Transparency International Cambodia (TIC)</i>	<i>Mr. Preap Kol</i>	<i>012 877 833</i>
46	<i>Youth for Peace (YFP)</i>	<i>Mr Long Khet</i>	<i>012 402 880</i>
47	<i>Youth Resource Development Program (YRDP)</i>	<i>Mr Cheang Sokha</i>	<i>012 360 464</i>

CC: Her Excellency Mrs. Nin Saphon, Chairman of Commission on Public Works, Transport, Telecommunication, Post, Industry, Mines, Energy, Commerce, Land Management, Urban Planning and Construction;
His Excellency Mr. Pan Sorasak, Minister of Commerce;
His Excellency Mr. Aun Pornmoniroth, Senior Minister, Minister of Economy and Finance;
His Excellency Mr. Say Sam Al, Minister of Environment;
His Excellency Vongsey Vissoth, Secretary of State of Ministry of Economy and Finance;
His Excellency Mr. Dith Tina, Secretary of State at the Ministry of Mines and Energy.