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# BRANCHES OF ILLEGALITY

Cambodia's illegal logging structures







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A photograph showing a large pile of cut timber logs in a field. The logs are stacked in a messy pile in the center, with several long logs lying on the ground in the foreground. The background features a fence, trees, and a hillside under a cloudy sky. The text "EXECUTIVE SUMMARY" is overlaid in large white letters.

# EXECUTIVE SUMMARY

Felled timber for collection in Mondulkiri, Cambodia. High-volume logging and trafficking of luxury wood continue unabated in the country. *Photo: supplied*





**T**his report builds on the Global Initiative Against Transnational Organized Crime (GI-TOC's) 'Forest crimes in Cambodia' study (March 2021) by further exploring the networks of state and military control that facilitate the illegal timber trade.

High-volume logging and trafficking of luxury wood continue unabated despite years of legislation, export bans and high-profile crackdowns. Examples abound. 'Forest crimes in Cambodia' presented compelling evidence of this in Prey Lang.<sup>1</sup> Hong Kong SAR customs officials seized 211 tonnes of endangered Cambodian timber in May 2021.<sup>2</sup> COVID-19 border closures failed to prevent 27 498 cubic metres of high-risk Cambodian sawn timber making its way through official Vietnamese customs in 2020.<sup>3</sup> Moreover, the resilience, mutability, earning power and scale of the illicit industry is evidenced by decades of rigorous investigation, monitoring and analysis by Cambodian NGOs, grassroots activism networks and international NGOs.<sup>4</sup>

Benefiting from, and expanding on, this wealth of evidence, this report adds to the existing knowledge on Cambodia's illegal logging by shedding light on the actors behind this vast trade and the practices they employ. The emerging picture is one of complex and interdependent networks.

But first, why? The simple answer is that Cambodia's political and military apparatus, in its current form, cannot survive without illicitly generated income. For example, the Royal Cambodian Armed Forces (RCAF) employs over 124 000 active personnel in a country of just 16.7 million people<sup>5</sup> – a larger army than Spain or Canada, and far more soldiers per capita than Thailand, China or the US.<sup>6</sup> The government has little hope of funding liveable salaries through official tax receipts: only a fraction of Cambodian residents pay tax at all.<sup>7</sup> Instead, government institutions – including the RCAF – operate on a sophisticated system of political patronage that is so entrenched in Cambodian society that is often shrugged off as unavoidable. Individuals at every level of the military apparatus first buy their position and then contribute funds (either a proportion of income, or a fixed amount) to their superiors on a regular basis, all the way up the chain of command. To meet their financial obligations, those at all levels in this system must inevitably supplement their income with other revenue streams – typically, through corruption or otherwise exploiting their position to engage in illegal activity with relative impunity. Meanwhile, to join the ranks of the business elite, private

citizens must purchase the honorific title of *oknha* from the state for a donation of US\$500 000. The title carries certain responsibilities, for example an expectation that *oknhas* will fund public infrastructure projects in their vicinity. However, in return, the Cambodian People's Party (CPP) looks more favourably on their business endeavours, for example applications for licences and land purchases. This results in ample opportunities for *oknhas* to increase their personal wealth.

As such, the patronage system not only generates vital income, but also entrenches networks of dependence. For the political elite, having the RCAF disengage from illegal logging and trafficking altogether would mean sacrificing revenues while relinquishing their role as gatekeeper to one of the country's most lucrative industries. This would potentially undermine the patronage system and create scope for business elites to grow too powerful independently, without relying on the CPP for access. Ultimately, this could weaken the power enjoyed by the political leadership.

From the perspective of the political elite, this gives rise to two challenges: how best to ensure interdependence so that existing power structures are not in jeopardy, and how to balance this against public outrage generated by flagrant exploitation of natural resources by powerful elites, whether *oknhas* or military personnel.

Field research conducted for this report highlighted two distinct strategies used by the Cambodian government to tackle the first challenge. The first is containment and symbiosis: in Pursat, where control over illegal logging appears to have been monopolized by the *oknha* Try Pheap, our research revealed an explosion of recently built government and RCAF offices, military checkpoints and ranger stations situated along major timber transit routes. The presence of these outposts has not led to increased seizures, but rather appears to allow the RCAF to monitor timber flows and command pre-paid bribe payments, ensuring that the logging syndicate remains dependent on them.

The second approach, observed in Monduliri and Kratie – provinces that have seen far more competition and volatility in the illegal logging space – is direct control. Here, the authorities are not simply waiting for illegal loggers to create timber trafficking routes. Rather, the RCAF is constructing many of them, again with offices, outposts and checkpoints seemingly strategically positioned alongside to ensure that traffickers must pass by military and government offices – and must have pre-paid their dues.

Both strategies have the added benefit of allowing the CPP and RCAF to play a highly visible role in cracking down on small-scale, anarchic logging by those outside the patronage system, which ultimately could increase their ability to manage and profit from the high-level trade.



# Methodology

This report is the culmination of research conducted from May to August 2021. Our fieldwork comprised visits to various locations in Koh Kong, Pursat, Battambang, Kratie, Kandal and Kampong Speu provinces where we anticipated to see evidence of illegal logging based on local reports, tips, prior research and initial interviews. We captured evidence of illegal logging and cross-border timber transportation, conducted in-person interviews with loggers and scouts, and recorded the positions of relevant local authorities (military, gendarmerie, government buildings, ranger stations) situated close to logging routes and activity.

We then narrowed our focus to the following key timber trafficking routes:

- Veal Veng to Thma Da on the Thai border via Phnom Samkos Wildlife Sanctuary in the Cardamom Mountains (Battambang/Pursat).
- The network of formal and informal crossings connecting Snoul Wildlife Sanctuary to the Vietnamese border (Kratie).
- Exit routes from the Keo Seima Wildlife Sanctuary, Phnom Prech Wildlife Sanctuary and Phnom Numlear Wildlife Sanctuary (Mondulhiri).

We used geolocation data from over 1 300 photos, videos, drone shots and GPS coordinates recorded during this fieldwork to map, firstly, the routes taken by loggers and traffickers, and, secondly, the placement of military, gendarmerie and government authority offices and stations in relation to these routes.

Using historical satellite imagery from Google Earth and Google Maps, we were able to identify a timeframe in which many of these military and gendarmerie offices and stations were constructed, as well as the buildings and routes created to process or transport illegal timber. This enabled us to compare their timelines of development and to place them in the context of contemporary political events and findings from earlier investigations.






# INTRODUCTION

On the logging road to Koh Nhek, Mondulkiri province, Cambodia © Bokehcamodia/Alamy Stock Photo





**M**ake the bosses rich in Cambodia,' said Prime Minister Hun Sen in 2012. 'If the country has no millionaires, where can the poor get their money from?'<sup>8</sup>

Hun Sen made these remarks at the inauguration of a sugar refinery situated on a plantation at the heart of a bitter land dispute. By his side was its multimillionaire owner, a CPP senator and close ally of the Hun family called Ly Yong Phat – the 'King of Koh Kong' who, according to various media sources, is alleged to be linked to land grabs, destruction of protected forest and human rights abuses.<sup>9</sup> It is a sentiment that reflects Cambodia's idiosyncratic, quasi-feudal system of patronage, in which powerful, wealthy individuals in the public and private sector strive to establish their own fiefdoms and, in return, are expected to cover the costs of public works and infrastructure.

The prime minister's comments only tell half the story, however. In the patronage structure, money does not just trickle down. First, it must flow up.

Today, Cambodia has no shortage of millionaires. The number of ultra-high-net-worth individuals in the country tripled between 2004 and 2014 and is expected to continue along this trajectory.<sup>10</sup> For decades, legal and illicit access to the country's rich natural resources has narrowed to a privileged few. At the same time, the formalized, endemic corruption embodied in the patronage system means that as these private citizens have accumulated wealth, so too have Cambodia's instruments of power – the military, gendarmerie, CPP and, ultimately, it would seem, the most senior political figures.

However, while casual bribery and extortion is certainly a part of daily life in Cambodia, corruption in the illegal timber trade cannot be dismissed as simply opportunistic or individually driven. Rather, the system is carefully organized into a hierarchal structure that resembles a traditional mafia, whereby payments travel up the chain of command and are often standardized and/or paid in advance. Much like a mafia, it is expected, encouraged or demanded that those lower down the pecking order engage in illegal activity in order to cover their payments.

Indeed, not only do those at the top profit from criminal activity farther down the chain, but they depend on it for their survival. The formal tax system in Cambodia is

complex and ineffective. Some 95% of businesses are unregistered, personal income tax does not exist *per se*, and salary tax applies to a relatively small subset of the population that earns above the threshold.<sup>11</sup> The prime minister explicitly promised in 2019 that, for as long as the CPP ‘continues to win elections’, he will not impose income taxes on government employees, the armed forces, farmers or garment workers.<sup>12</sup> As such, it would appear that the patronage system and symbiotic relationships with millionaire *oknhas* are primary sources of funding for the CPP and its instruments of power.

This system renders it impossible to tackle Cambodia’s illegal timber trade by removing a few bad apples. Indeed, from the perspective of the patronage system, the only bad apples are those that have

fallen from the tree. For as long as Cambodia’s political elite depends on the flow of ‘taxes’ from illicit industry to sustain it, there is little incentive for the government or RCAF to seriously consider suspending one of its most profitable sources of income.

This report traces how money from the illegal timber trade moves through this shadow taxation system, from the loggers to lower-level authorities, to the upper echelons of government and armed forces. It also investigates the deliberate strategies that maintain a delicate balance between rival factions and actors (tycoons, generals, military police, the political elite), ensuring inter-reliance between them, so that no single source of power can become too great and rival that of the top political echelons.

## Cambodia’s political climate

Over the past century, Cambodia has experienced intense political turbulence and almost unimaginable violence. The current prime minister Hun Sen has dominated Cambodian politics for over four decades, since he became an army commander of the Khmer Rouge – the ultra-Communist guerrilla movement that arose in the wake of the US war in Vietnam – in the early 1970s. By 1975, the genocidal Khmer Rouge had taken over the country, evacuated the cities and forced its citizens to work in its brutal proto-agrarian society, with disastrous consequences. Over four years, up to 2 million people – a quarter of the population – were either executed by the Khmer Rouge or died of starvation, disease and overwork.<sup>13</sup>

### Damaged institutions

On top of the human cost of the tragedy, the Khmer Rouge’s policy of abolishing private property and eliminating the country’s educated and professional classes meant that, once liberated, the country remained in a state of chaos. Government institutions had to be rebuilt from the ground up, while swathes of the country were vulnerable to predatory land grabs. Compounding the misery, the UN, the US and its allies continued to recognize the Khmer Rouge as the legitimate government for several years

after it had been overthrown, pushing Cambodia farther into isolation and developmental standstill.

After defecting from the Khmer Rouge and fleeing to Vietnam in 1977 to escape the Eastern Zone purges, Hun Sen was appointed foreign minister of the newly created People’s Republic of Kampuchea in 1979, when the Khmer Rouge was ousted by invading Vietnamese forces.<sup>14</sup> Following the death of Prime Minister Chan Si in January 1985, the 33-year-old Hun Sen took over as leader and has remained in power ever since, overseeing his country’s transition to the (officially recognized) state of Cambodia in 1989 and the peace negotiations that brought the civil war to an end in 1998.

The world’s longest-serving prime minister, Hun Sen has been repeatedly accused of subverting democratic process to retain his grip on power. Allegations against his regime include the use of force to overturn the results of the 1993 election, and again to seek influence in advance of the 2018 elections.<sup>15</sup> In 2013, Hun Sen announced his intention to remain in power for another decade, until he turns 74.<sup>16</sup> In December 2021, he named his son Hun Manet as his proposed successor.<sup>17</sup> Hun Manet is currently the commander of the army.





Cambodia's rich natural resources are exploited by the higher echelons of the country's society. © Alan Morris/Alamy Stock Photo

## Plundered resources

Throughout his time as leader, it has been observed that Hun Sen has both relied on the military to protect his position and leveraged the country's natural resources to maintain its loyalty. In June 1994, a leaked letter to the Thai government revealed that Hun Sen and his then co-prime minister Prince Ranariddh had granted the Ministry of Defence exclusive rights to export timber – an arrangement that, in effect, gave military commanders free rein to log Cambodia's forests for personal gain.<sup>18</sup> However, over time, wealthy individuals and families loyal to the CPP have become an increasingly important part of this equation.

In the late 2000s, as tensions along the Thai border escalated,<sup>19</sup> Hun Sen called on *oknhas* to directly finance military activities and infrastructure. This laid the groundwork for legally sanctioned, mutually beneficial military-*oknha* partnerships, whereby over 100 private companies and powerful *oknhas*<sup>20</sup> began directly paying for weapons for the RCAF in return for military units providing security for their business interests.<sup>21</sup> Some notable donors, well-known in

Cambodia and international circles, have been subject to various and numerous allegations ranging from land grabs, human rights abuses, laundering of illegal timber and intimidation of activists. They include the notorious illegal logging magnate Try Pheap;<sup>22</sup> the sugarcane mogul Ly Yong Phat (nicknamed the 'King of Koh Kong');<sup>23</sup> former Chup Rubber Plantation owner Mak Kim Hong;<sup>24</sup> the CEO of Royal Group, Kith Meng; the political power couple Leng Ming Khin and Choung Sopheap;<sup>25</sup> Hun Sen's daughter, Hun Mana,<sup>26</sup> and Khaou Phallaboth of the Khaou Chuly Group.<sup>27</sup>

Today, the Hun family wields immense influence over nearly every aspect of life in Cambodia. Family members and the companies they have business interests in have also been accused of being involved in land grabs and illegal logging among others.<sup>28</sup>

## Key terms

**Oknha:** This is an honorific title (obtained by donation), similar to a British knighthood, but falling somewhere between 'lord' and 'tycoon'. The title is issued by the king. To become an *oknha*, individuals must pay the equivalent of US\$500 000 to the state, which is, in effect, to the Cambodian People's Party (CPP). Becoming an *oknha* cements deep ties to the elites of Cambodia's ruling and military leadership, establishing loyalty on both sides of the equation. *Oknhas* can expect the assistance of their government patrons in securing permission, permits and so on for their business activities, but they are also expected to fund public infrastructure, disaster relief and charitable donations.

*Oknhas* can be elevated to the title of *neak oknha*, roughly equivalent to 'duke'.

**Lok Chumteav:** This is an honorific title given to powerful female political figures or wives of senior political figures and *oknhas*. Their obligations and expectations are comparable to those of *oknhas*.

**Special economic zone (SEZ):** These are defined areas within the country that are subject to different regulations and laws to the rest of Cambodia. Typically, these are used for an industrial purpose, geared towards foreign investment and offer a way for governments to facilitate trade. In Cambodia, firms intending to develop an SEZ must show that they have at least US\$500 000 in fixed assets and agree to invest in infrastructure within the land they are granted. The Cambodian government then provides a local official at the SEZ who can grant instant customs approval and handle other bureaucratic issues.

**Economic land concession (ELC):** These are government sanctioned territorial concessions where a contract is drawn up between the government and foreign or domestic investors for the purpose of 'national development, creating employment in rural areas and restoring "non-use" land'. ELCs allow corporate entities to control a defined area of state land for a set period of time, during which they must engage in pre-specified activities. The concessionary does not 'own' the land; it remains the property of the state. The decision-making power for granting ELCs or assigning community land titles should rest with the Ministry of Agriculture, Forestry & Fisheries. But other institutions, such as the Ministry of Environment, can also assign these, leading to inconsistent figures on the size and number of ELCs.<sup>29</sup> ELCs are granted concessions for up to 99 years, but the Ministry of Agriculture, Forestry & Fisheries' annual report in 2014 stated that 'due to inactivity on their investment plans', 69 concessionaires covering a total land area of 587 580 hectares had contracts cancelled by the government. ELCs are often implicated in destroying the ecology of forests, as well as restricting access of the local population to land and resources. In addition, many concession-holders do not even attempt to 'develop' the land for economic purposes according to the terms of the ELC, but simply log timber, leaving the land degraded.



**Hard land title:** This is a certificate of ownership issued by the Cambodian Land Management and Planning office that means both the property and land it sits on is wholly, privately owned by the certificate holder. The Cambodian Constitution allows for the land to be reclaimed from the legal owner if in the public interest and subject to fair compensation, however.<sup>30</sup> Land titles cannot be issued to non-citizens of Cambodia.

**Soft land title:** This is a more common statement of possession, issued by local government but not registered at the national level. The title holder is recognized as the possessor of the property but not the owner of the land. This creates a substantial risk of land disputes arising.<sup>31</sup>

**Public-state land:** This is land owned by the state that is theoretically untouchable by developers. However, the government can change this designation if it deems fit. For example, a protected area that becomes decimated by illegal logging could be declared to now be of negligible public interest value and converted to private-state land.

**Private-state land:** This is land owned by the state but deemed not to be of public value. As such, the government can allocate it for private use, whether as an ELC, social land concession, ecotourism concession or otherwise. Crucially, however, the rights of the developer or occupier can be revoked and the land reallocated by the state or converted back into public-state land.






# LOGGING IN CAMBODIA

Rosewood, photographed here, is the most trafficked environmental product in the world and now an endangered species. © Photo: supplied





**D**espite the 2001 Land Law, which aimed to slow the country's rapidly escalating rate of deforestation, Cambodia lost around 28% of its tree cover between 2001 and 2020.<sup>32</sup> This includes 557 000 hectares of protected forest representing 11.7% of the total protected area.<sup>33</sup>

Today, up to 90% of Cambodian timber produced continues to be harvested illegally.<sup>34</sup> Rosewood, the most trafficked environmental product in the world, is now an endangered species.<sup>35</sup> Community forests designated to help protect the country's shrinking forests have gone from being legally recognized entities to receiving just 15-year tenures, compared to the 99-year leases often granted to ELCs.<sup>36</sup> Meanwhile, ELCs often eat into areas of forest that are supposedly protected by law. By the time a moratorium was placed on the granting of ELCs in 2013, these concessions overlapped with 14% of Cambodia's protected areas.<sup>37</sup>

## ELCs and plantations

ELCs remain a primary source of illegal timber. Since many ELCs were allocated either within the boundaries of protected forests or on their peripheries, many have been accused of the illegal logging of luxury timber, both within their own borders and in the immediate vicinity.<sup>38</sup>

## Anarchic logging

Once used primarily to denote illegal logging by military personnel, the term 'anarchic logger' now refers to illegal logging by individuals or small groups who are acting independently and are therefore ungovernable.<sup>39</sup> Since the late 1990s, the Cambodian government has emphasized the need to 'fight anarchic logging', even justifying the decision to allocate ELCs in protected areas on the basis that concession owners would protect forest by preventing anarchic loggers from operating within their borders.<sup>40</sup> However, the term is sometimes used for larger-scale illegal logging that has spun out of central control. In 2014, the Ministry of Agriculture called for an end to 'anarchic deforestation' around the Lower Sesan 2 Dam by *Oknha* Kith Meng's company Ang & Associates Lawyer Co. The company was appointed to clear the area designated



**Illegally felled timber and logging equipment in Mondulkiri.** *Photo: supplied*

for construction, but employees were seen engaging in illegal logging in the surrounding area.<sup>41</sup>

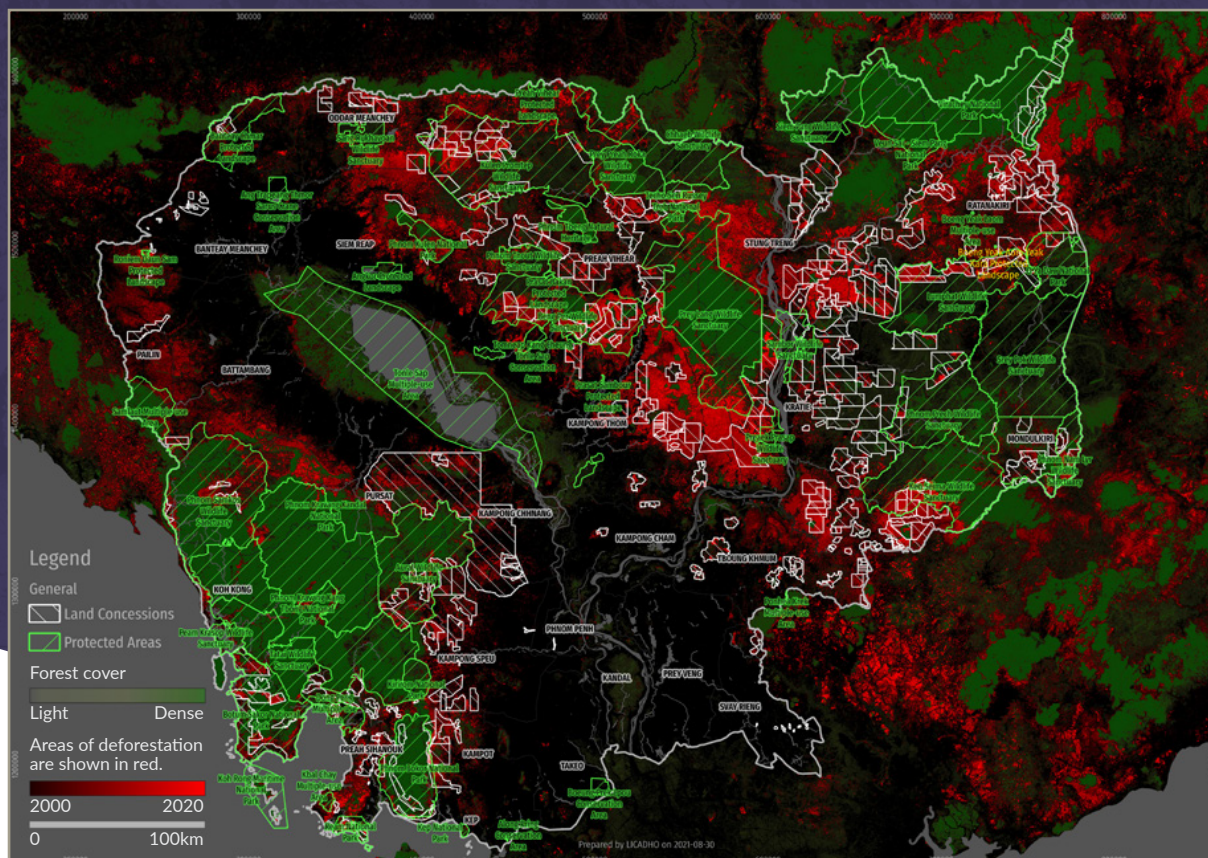
Small-scale logging is an ongoing problem, exacerbated by the economic hardship and interruptions to government ranger activities brought about by the COVID-19 pandemic.<sup>42</sup> The NGO Wildlife Alliance, which has a mandate to patrol 1.3 million hectares of protected forest in the Cardamom Mountains, reported seizing 963 chainsaws and 462 logging vehicles over the entirety of 2019.<sup>43</sup> In the first seven months of 2021, its rangers had already seized more than 800 chainsaws.<sup>44</sup>

During field research, our team witnessed (and documented) a steady stream of small-scale loggers openly transporting luxury wood by motorbike, tractor, van and *arev*, a purpose-built logging vehicle. In some cases, these activities appeared genuinely ‘anarchic’ (i.e. existing outside the structured patronage or shadow taxation system), as evidenced by

piles of wood and confiscated vehicles outside Environment Ministry offices and ranger stations surrounding protected areas.

However, our interviews with loggers and scouts, combined with the lack of concern shown by many loggers transporting their cargo past offices and ranger stations in broad daylight, suggested that a significant proportion of these small-scale loggers are in fact not anarchic, but rather commissioned on a freelance basis by sawmills and brokers firmly established within the industry and its taxation system. As we discuss later in this report (and as the previous ‘Forest crimes in Cambodia’ report suggested), tax bribes are typically paid in advance to the relevant authorities, ensuring safe passage for individual small-scale loggers, while obscuring the true extent and coordinated nature of the illegal timber operation they supply.<sup>45</sup>





**FIGURE 1** Scale of deforestation in and around ELCs in Cambodia, including inside protected areas.

SOURCE: Licadho, Cambodia's concessions, 2021, [https://www.licadho-cambodia.org/land\\_concessions/](https://www.licadho-cambodia.org/land_concessions/)

## Managing public opinion

The plunder of forest resources is a bitter issue for many in Cambodia, compounded by the (accurate) perception that most of this timber is shipped to Vietnam, Thailand and China, and fails to benefit Cambodian communities in the process. The CPP is acutely aware of this. Before the 2018 election, Hun Sen publicly vowed to crack down on the cross-border trade, even singling out two influential *oknhas* (Lim Bunna and Soeng Sam Ol) for criticism.<sup>46</sup> At this time, the prime minister also unveiled the Coalition Committee for Forest Crime Prevention (a forerunner of the National Committee for the Prevention and Crackdown on Natural Resource Crimes), but chose as its leader Sao Sokha, head of the gendarmerie. As discussed later, Sao had been accused of involvement in illegal logging and timber trafficking,<sup>47</sup> although he has consistently denied these claims.

The Cambodian administration frequently manages public opinion by framing encroachment into

protected forest as land allocation for low-income families. This often coincides with the building of new roads: a strip of land on either side of the road is declared to be public-private land, allowing the local authorities to hand out permits for community members to build homes or farms. However, these communities do not receive hard titles to the land; it can still be reclaimed and licensed as an ELC in the future. In practice, this leads to a pattern whereby:

- Vast areas of protected natural forest are sectioned off by roads, electricity lines or other public works.
- Deforestation and illegal logging increases in the areas around these new communities, as the trees are now easier to access. Companies and individual loggers are held responsible; there may even be highly publicized crackdowns by RCAF or gendarmerie forces, supported by the government.



- Strips of land on either side of the divider are offered to the community, winning loyalties and minimizing negative public opinion over forest encroachment.
- Once the forest is sufficiently depleted, the government can argue that there is little left

to protect, justifying the reclassification of surrounding land.

- Land is sold or leased for development, causing land disputes with the local community now living there – but that are now the responsibility of the commercial buyer to resolve.



**Network of new powerlines in Trapeang Rung, bisecting the Cardamom Mountains and reducing the intrinsic value of the forest.** *Photo: supplied*



**A suspected logging trail in Trapeang Rung, Koh Kong, which connects to the area cleared for powerlines.** *Photo: supplied*

The early stages of this process are under way in the Cardamom Mountains in Koh Kong province. In 2017, the Chinese National Heavy Machinery Corporation was given the go-ahead to construct a number of 30-metre-wide electricity transmission lines linked to its newly built Stung Tatai dam. As conservation NGOs feared, this divided pristine forest into a grid.<sup>48</sup> Analysis of Global Land Analysis & Discovery deforestation alerts demonstrates that this has, in effect, cleared a network of access routes through the forest.<sup>49</sup> When our investigators visited in June 2021, we found numerous additional pathways connecting with this main grid, as well as evidence of logging in the surrounding forest. The following month, amid a surge in logging cases, joint military, police and gendarmerie forces engaged in a high-profile (and pre-publicized) raid on the Cardamoms, complete with helicopter surveillance.

Prey Lang is set to suffer a similar fate, with a development project in the pipeline that will cut the forest in two, making areas that are currently inaccessible newly vulnerable to logging. In December 2020, the Mines and Energy Ministry gave the green light to two more 500-kilovolt power lines that will connect Phnom Penh to the Laos border and Thai border, respectively.<sup>50</sup> The Laotian line is set to cut through the heart of Prey Lang forest, one of the last remaining large-scale lowland forests in South East Asia. Calls by conservationists to redirect the line around the protected area have been ignored. Sources claim that the prime minister personally requested that the current route, bisecting the forest, be upheld.<sup>51</sup>



When Cambodia introduced COVID-19 prevention measures in 2020, members of the Prey Lang Community Network (PLCN) were banned from patrolling or even collecting satellite imagery, despite mounting evidence that illegal logging appeared to be rampant and increasing.<sup>52</sup> Armed guards stopped activists from conducting tree blessing ceremonies, detained those who entered the forest without permission and charged one with attempted murder after he got into an altercation with a timber trader while trying to film him on his smartphone.<sup>53</sup> In June, USAID announced plans to redirect funding for conservation in Prey Lang away from government sources and instead work directly with grassroots organizations, citing a lack of trust in the authorities' commitment to curbing 'well-documented illegal logging' inside the protected area, which has lost 9% of its forest cover since 2016.<sup>54</sup>

While the government's motivations for directing or allowing the forest to be bisected are unclear, three consequences are predictable. Firstly, passages of forest will be cleared, initially to lay transmission lines and access roads, then by anarchic loggers. This will reduce the intrinsic value of the forest, laying the groundwork for future conversions to state-private land. Secondly, as the forest shrinks, so too does the influence of grassroots organizations and activist networks that exist to protect it, like the PLCN and Mother Nature. These organizations steer public opinion against powerful *oknhas* and the authorities that protect them, undermining the patronage system. Thirdly, as anarchic logging increases within easier-to-manage parcels of land, the CPP and RCAF can step in to control it, cracking down on genuinely anarchic loggers while setting up offices and check-points along the routes they have created to monitor the pre-paid, pre-arranged flow of timber.



Members of the Prey Lang Community Network deliver a petition against a South Korean company clearing the Prey Lang forest, South Korean Embassy in Phnom Penh, May 2017. © Siv Channa/The Cambodia Daily






# WHO IS DRIVING CAMBODIA'S LOGGING TRADE?

Cambodia's gendarmerie office (military police). A complex system of political patronage in the country protects and sustains the logging industry. *Photo: supplied*





**A**s it has been suggested, suppressing the illegal logging and timber trafficking trade could run contrary to the government and RCAF's interests and mode of operation. Rather than seeking to end illicit activity altogether, the core strategies deployed by the CPP could point towards tighter control over timber flows and (unofficial) taxation of illegal logging activity. Exactly how this plays out varies from region to region. In areas where market control is concentrated into the hands of a few major players, the state seeks to contain the power of these individuals by fostering a symbiotic relationship between *oknhas*, the RCAF and government departments. In more volatile areas with high levels of competition, the state has taken a more direct role in disciplining the trade, streamlining trafficking and bribe-paying processes. These strategies are discussed in depth in the sections and case studies below.

## How the patronage system works

In Cambodia, access to political and economic power is managed in large part through a semi-formalized system of political patronage. There are separate systems in place for private citizens, government employees and military personnel.

The system is most explicit in the issuance of official *oknha* titles to individuals who donate over US\$500 000 to the ruling CPP party. This 'regulated gift' has been described as signalling 'a lifelong marriage to the party, entailing privileges, favours, and obligations'.<sup>55</sup>

But within the CPP itself, public servants at every level are expected to make considerable contributions to the CPP's Party Working Group. Members of the military, police and gendarmerie should, by law, be politically neutral in the way they perform their duties. However, many key figures in the RCAF and police are permanent members of the CPP's Central Committee.<sup>56</sup>

One implication of the system is that it prevents the military amassing control of significant business interests without the oversight or blessing of their patrons in central government. More broadly, it results in a 'remarkably stable alliance between state officials, military enforcers and civilian capitalist entrepreneurs for the mutual exploitation of Cambodia's resources'.<sup>57</sup> To further preserve the symbiotic relationship



between predatory state and private sector actors, the government has barred individuals from holding military and *oknha* titles simultaneously.<sup>58</sup> Because of

this, individual tycoons, no matter how powerful, are obliged to remain loyal to gatekeepers in the government and military.

## **‘Taxing’ government and military jobs**

The patronage system could be seen to resemble, in some ways, a traditional mafia structure, in which members at the lower levels of an organized crime syndicate pay internal ‘taxes’ to those above them, all along the chain, in a pyramid formation that ultimately enriches the group’s boss. Moreover, in Cambodia, public servants – including entry-level military and police personnel – are expected to pay substantial bribes to their superiors to access the profession. These jobs are typically poorly paid; their value lies not in the salary but their capacity to command bribes or ‘taxes’ from further down the chain and/or to engage in more lucrative illegal activities with apparent impunity.

Individuals interviewed for this project reported that those in government and military positions can be expected to contribute as much as 50% of their salary to superiors.<sup>59</sup>

These onerous taxes frequently render it impossible for those at lower levels to survive financially without

abusing their position to engage in illegal activity. In the transcript of a call seen by our researchers, a ranger in Prey Lang reported that when he became a team leader, a senior park official called him into his office to ask whether he would like to make his own payments to his superior on a monthly basis or by patrol.<sup>60</sup> The implication was that the ranger would acquire the money needed to pay his taxes through extorting on-the-spot bribes from loggers. According to the ranger in question, since he was unwilling to do this, he attempted to cover the costs from his own salary (without informing the official), but found this unsustainable and was forced to resign. However, it took multiple resignation requests before he was permitted to do so, which could suggest that those further up the chain not only pressure their employees to engage in the illegal logging trade for financial gain but also prevent them from exiting these arrangements once in place.

## **Powerful individuals**

Past research has repeatedly highlighted a small number of powerful *oknhas* as central to the logging industry in Cambodia. We discuss these individuals, their operations and the strategies deployed to contain their influence in more detail in the case studies.

Allegations of involvement in illegal logging have also been levelled against some members of the Hun family, particularly Hun To, nephew of Hun Sen.

### **Hun To’s alleged involvement in logging activities**

Allegations of Hun To’s involvement in illegal logging and timber trafficking date back to the 1990s. Global Witness alleged that, at this time, Hun To ran a string of illicit businesses alongside Hun Sen’s cousin Hun

Chouch and a third man, RCAF Colonel Sat Soeun.<sup>61</sup> According to Global Witness, the three ran a number of businesses together, including smuggling fish, rubber and timber into Vietnam. Hun Chouch also owned Kingswood Industry, Cambodia Cherndar Plywood and Mieng Ly Heng, all linked by Global Witness to illegal logging activities.<sup>62</sup> The activities in question centred around Kampong Cham, where Hun To’s father (and Hun Sen’s brother), Hun Neng, was then the provincial governor.

The controversy came to national attention when the *Preap Norn Sar* newspaper published a series of anonymous articles accusing Governor Hun Neng of running an illegal timber and rubber export racket, in partnership with the head of the Forestry Department and a senior gendarmerie commander.<sup>63</sup> A Kampong Cham journalist called Chan Dara, who was

investigating illegal logging at the time,<sup>64</sup> was murdered shortly afterwards. Contemporary reports claimed that prior to the attack he feared for his life and was preparing to flee.<sup>65</sup>

Sat Soeun – Hun To's alleged business partner – was swiftly arrested for the murder, albeit acquitted in 1995, triggering a national outcry. Following three further arrest warrants for two more murders and a non-fatal shooting,<sup>66</sup> he was eventually sentenced to

10 years in prison (although it is unclear how much time he actually served). In 2013, he was arrested and charged for gun-related offences in Banlung, Rattanakiri province<sup>67</sup> and according to press reports at the time, when arrested, Soeun (now calling himself Soeun Panday) listed his occupation as a 'collector of luxury wood'.<sup>68</sup> It was also claimed that he had moved to Banlung to work for logging tycoon Try Pheap.<sup>69</sup>



Hun To (in red) with Tang Eang (far left) and Mong Reththy (third from left). © Mong Reththy's Facebook page

Hun To was also allegedly under investigation by the Australian Federal Police for suspected heroin smuggling into Australia hidden in caches of timber.<sup>70</sup> Hun To has strenuously denied any involvement in drug trafficking and it is understood that the case (known as Operation Illipango) allegedly collapsed when a member of staff at the Australian embassy, fearing a 'diplomatic incident' should Hun To be arrested on arrival, denied him a visa to Australia. The Australian government declined to comment on the allegations, but Hun To's father, Hun Neng (Hun Sen's elder brother, then governor of Kampong Cham), claimed his son was wrongfully implicated due to a 'chance' connection to his brother-in-law, who was jailed on drug trafficking charges in Australia in 2005.<sup>71</sup> Hun

Neng was referring to Thai Phany, a former one-star general in the RCAF, who is married to his niece (Hun To's cousin) and is also a relative of Hun To's wife.<sup>72</sup>

Thai Phany, who is a joint Cambodian–Australian citizen, remains the only person charged as a result of the operation.<sup>73</sup> However, Nick MacKenzie, the investigative journalist who broke the story, claims in his book *The Sting* that Thai Phany (also known as Phenny Thai) was in fact Hun To's bodyguard.<sup>74</sup> The Victorian Supreme Court also described Thai Phany as having purchased the rank of major in the Cambodian army and having 'strong connections with powerful people in Cambodia which facilitated his business enterprises'.<sup>75</sup>



Hun To, who has since been given the title *neak oknha*, also appears to have personal and business relationships with Try Pheap's business associates. Su Liangsheng, who is listed as a co-director at two of Hun To's companies – Heng He (Cambodia) Commercial Bank Plc registered in 2019, and Heng He Julong Town Real Estate Co. Ltd, registered in 2018 – is a co-director of Try Pheap's similarly-named company MDS Heng He Investment Co., Ltd, registered in 2018 and based in Thmorda, Veal Veng, Pursat – which, as we discuss in this report, is a major thoroughfare for timber trafficking from Cambodia to Thailand. It is also the location of Try Pheap's SEZ, which was raided by police in 2021 following claims of Chinese nationals being trafficked and forced to work for an online scam company.<sup>76</sup>

In 2020, Hun To posed for a photograph (see above) on a trip with his friend and business associate Mong Reththy and five other men. The man on the far left of the photo is Tang Eang, who one environmental activist alleged is a timber trader working on behalf of Try Pheap and who formerly managed one of his sawmills. The same activist showed us a 'weight note' (see photo), signed by a Cambodian security officer and a Vietnamese controller on 13 July 2018, which states that the product being loaded into the container was protected reach kol timber, to be taken across the border into Vietnam through Kampong Speu. The customer exporting the goods was listed as Tang Eang.

Hun To is also a business associate of tycoon Kith Meng, formerly Cambodia's richest man.<sup>77</sup> Leaked US cables described Meng as a ruthless gangster who uses his bodyguards to coerce individuals into brokering deals.<sup>78</sup> RCAF units were often hired to provide physical security for his businesses – a practice that was officially outlawed in 2019.<sup>79</sup>

Between them, Hun To's Evergreen Success and Asia Resort Development Company, Kith

Meng's Royal Group and the Chinese-owned Yeejia Tourism Development Company have monopolized development in Ream National Park, amid allegations of large-scale land grabs and illegal logging.<sup>80</sup> Yeejia Tourism Development Company is a subsidiary of Chinese-owned Unite International (Cambodia) Investment Group Co Ltd., controlled by Fu Xian Tang, who received land concessions in Sihanoukville and Ream explicitly as part of China's Belt and Road Initiative. Fu Xian Tang donated heavily to the creation of Hun Sen's bodyguard unit in 2009.<sup>81</sup> This formed the basis of a 'highly unusual "military-commercial" alliance' that not only increases the commercial potential of Chinese state-owned tourism companies in the area but also bolsters Beijing's maritime control in South East Asia.<sup>82</sup> Conveniently for Yee Jia, the Cambodian government overturned a Royal Decree cancelling the concession in a protected area of Ream in 2010, amid land disputes and accusations of logging.<sup>83</sup>

Age, Udong District, Kampong Speu

**WEIGHT NOTE** No.: 5

of goods Reach Kol  
customer Tang Eang

3B-8017

50,520 Kg -Date\ Time : 13/07/2018 14:42  
13,460 Kg -Date\ Time : 13/07/2018 14:06  
37,060 Kg - 3790 = 33270

BSI 1195 33474  
RSTU958943 (40FEET 3790KG)

GOODS OUT

Security Driver Controller

Date 13 month 7 year 2018

59x65x510-  
44x45x520-  
59x62x570-  
49x49x520-  
64x71x460-  
59x65x470-  
70x84x560-  
60x61x510-  
69x71x420-  
44x46x420-

A container weight note for protected reach kol timber, listing the customer as Tang Eang. Photo: supplied

## Fostering and managing factionalism

The complexity of the patronage system and the competing interests of powerful individuals within it fosters intense factional struggles.<sup>84</sup>

Compounding the issue, in 2009, Vietnam (which borders Cambodia and is a major importer of Cambodian timber) decentralized regulatory oversight of timber imports from Cambodia and Laos.<sup>85</sup> Provincial leaders were granted new powers to handle customs arrangements and open smaller, supplementary border crossings for timber imports. Permit requirements for Cambodian timber were also dropped altogether, despite Cambodia having banned the export of logs and rough sawn timber in 2006.<sup>86</sup> This created abundant new opportunities for Vietnamese provincial authorities to profit from facilitating the cross-border trade of illegally harvested and exported wood from Cambodia. In January 2016, the Cambodian government issued a blanket ban on all overland timber exports to Vietnam (including legally harvested wood from plantations), but Vietnamese customs data nevertheless registered total imports of 318 232 cubic tonnes of Cambodian timber in 2016 and 313 000 tonnes (worth US\$142 million) in the first six months of 2017.<sup>87</sup> The real figure is likely to be much higher; a damning report published by the Environmental Investigation Agency in 2018 documented a range of tactics used by corrupt customs officials and timber importers in Vietnam to downplay import statistics.<sup>88</sup>

On the Cambodian side, this surge in illegal export opportunities introduced high levels of competition to the logging trade, and there are signs that intensifying factionalism had a destabilizing effect on the patronage system.

On 15 January 2016, military police, forestry officials and district police raided timber warehouses belonging to two prominent *oknhas*, Lim Bunna and Soeng Sam Ol.<sup>89</sup> Government spokesperson Phay Siphon told the *Phnom Penh Post* that in a meeting with security personnel, Hun Sen expressed anger that the two had 'smuggled all the wood to Vietnam without permission and no one could say anything'.<sup>90</sup>

The raid seemed designed to bring the *oknhas* back in line, rather than to halt their activities. As activist

Marcus Hardtke suggested at the time, it had 'all the hallmarks of a dispute'.<sup>91</sup> A few months earlier, Hun Sen had written to opposition lawmakers, insisting that both Lim Bunna and Soeng Sam Ol were acting legally.<sup>92</sup> Opposition politician Mao Monivann accused the government of protecting their friends, while in 2016 Hun Manet (the prime minister's son and now head of the RCAF) launched a defamation case against activist Chham Chhany of the Norway-based Cambodia Watchdog Council International.<sup>93</sup> Chhany claimed in a Facebook post that Manet and his mother Bun Rany (Hun Sen's wife) had intervened on behalf of Bunna and Ol to protect their respective business interests.<sup>94</sup> Chhany also claimed that Bun Rany had pushed for an investigation into Lim Bunna to clear the way for Soeung Sam Ol before she realized her son was his patron.<sup>95</sup>

Hun Manet vociferously denied these accusations.<sup>96</sup> In any case, both *oknhas* were able to return to their logging activities after the crackdown, although Soeung Sam Ol was arrested in 2019 when the National Committee for the Prevention and Crackdown on Natural Resource Crimes seized 48 of his trucks carrying illegal timber.<sup>97</sup>

Hun Sen took several official measures in 2016 to bring illegal logging back under control, including setting up the National Committee for the Prevention and Crackdown on Natural Resource Crimes, instructing Sao Sokha to open fire on loggers from helicopters and the aforementioned ban on transporting timber across the Vietnamese border.<sup>98</sup> Rather than ending the trade, this appears to have had the effect of bringing order to the chaos, protecting the integrity of the patronage system. By 2018, the Environmental Investigation Agency identified a 'road of tolls' through Phnom Prich Wildlife Sanctuary, along which members of the military, police, forest rangers and even local media had set up checkpoints to demand bribes from trucks transporting illegal timber. As discussed in this report, this system has become increasingly formalized over the subsequent years, with bribes paid upfront to relevant authorities rather than at the checkpoints themselves.



## Bodies appointed to counter illegal logging

Authorities tasked with preventing illegal logging, deforestation and wildlife trafficking are frequently implicated as, or perceived as being, key perpetrators in the trade.

Amid a much-publicized crackdown on illegal logging in 2010, Chea Huan, director of the Natural Resource and Wildlife Preservation Organization, accused 241 authorities of turning a blind eye to illegal logging in Kampong Speu and submitted a complaint to the Anti-Corruption Unit.<sup>99</sup> One of those named in the complaint was Chhun Chhea Heng, head of the Oral Mountain Animal Refuge. This was the fourth time Chea Huan had named Heng in a complaint, having done so in 2007, 2008 and 2009. Heng, who had also accused Huan of illegal logging in 2008 (leading to Chea Huan's conviction and 34-month imprisonment) counter-sued, claiming that nine members of the Natural Resource and Wildlife Preservation Organization had engaged in illegal logging.<sup>100</sup> Legal action back and forth between the two was still ongoing as of April 2021.<sup>101</sup>

Also in 2010, journalist Keng Phon of the *Sthabna Cheat Khmer* newspaper was summoned to court after attempting to take photos of two forestry officials in Siem Reap province who had stopped carts carrying illegal timber out of Kampong Kleng commune and were in the process of taking bribes to release the wood. The forestry officials filed an unspecified complaint against the journalist, who subsequently filed a counter-complaint with Ty Sovelnthal, Siem Reap Provincial Court prosecutor, saying that the officials had threatened him and forcibly deleted his photos. According to human rights NGO Licadho, the journalist was pressured to drop the charge by a prosecutor's clerk. He refused and was summoned to court for questioning on 8 April.<sup>102</sup> No charges appear to have been brought.

In 2016, the National Committee for the Prevention and Crackdown on Natural Resource Crimes was created to tackle illegal logging and other wildlife infractions. The 31-strong group is chaired by Sao Sokha, head of the national gendarmerie (military police). About a decade earlier, in 2007, Global Witness alleged that Sokha was a 'key patron and

protector' of Hak Mao, then a senior officer in the elite Brigade 70, who was accused of organizing the unit's illegal logging operations in Prey Lang to fund Hun Sen's private Bodyguard Unit.<sup>103</sup> Prior to this, Sao Sokha had been accused of being directly involved in the trafficking of illegal timber, including in 2004 when plainclothes military police officers were photographed transporting timber from his house in Phnom Penh to furniture shops in Boeung Trabek.<sup>104</sup> He has always denied the allegations.

Other members of the committee include:

- Monduliri provincial governor Svay Sam Eang, who has remained in his role despite calls to transfer him over an attempted forestry land grab in 2020.<sup>105</sup>
- Spokesperson Eng Hy, who has reiterated claims that large-scale logging does not exist in Cambodia.<sup>106</sup>
- Kampong Cham provincial governor Un Chanda, who previously supported a bid by the Sovann Company sawmill (nicknamed 'Dy Duk') to gain government approval to source timber from the surrounding SLC. A previous GI-TOC investigation estimated that the sawmill illegally harvested US\$9 million of timber from Prey Lang.<sup>107</sup>
- Pailin provincial governor Ban Sreymom, accused of being involved in a land grab that left 147 families homeless in 2006.<sup>108</sup>
- Pursat provincial governor Mao Thornin is married to Hun Sen's niece (and Hun To's cousin), Hun Chanthly, meaning he is related to members of the Hun family accused of timber trafficking.<sup>109</sup> In January 2021, Hun Chanthly was also named in a land grabbing scandal in Prey Nob, Sihanoukville Province. According to *The Cambodia Daily*, local authorities were instructed by Hun Sen to convert several hectares of protected forestland into state-private land, ostensibly so they could be released to landless locals. Instead, the land, which is situated in an area sought after by developers, was sold to 10 individuals from wealthy families, including Hun Chanthly.<sup>110</sup>



In Cambodia, rampant logging has resulted in widespread deforestation. Photos: supplied (top); Yvan Cohen/LightRocket via Getty Images (bottom)



- Siem Reap Provincial Governor, Tea Seiha, is son of Defence Minister Tea Banh and nephew of Naval Commander Admiral Tea Vinh, both of whom are alleged to have been involved in extensive land grabs of areas stripped of protected status in Koh Kong province.<sup>111</sup> Tea Vinh and his immediate family members were

also sanctioned under the Magnitsky Act in 2021.<sup>112</sup> Tea Seiha's cousin, Tea Vichet, is the director of GTVC Import/Export, which allegedly owns land in contested areas of the Prey Nob and Ream areas of Sihanoukville, where forced evictions are alleged to have taken place.<sup>113</sup>

## Maintaining a tight grip

Smaller players operating independently in the logging space, or who attempt to bypass the patron-age system, are typically targeted for crackdowns, or in the case of RCAF personnel, brought back in line by their supervisors, regardless of seniority. According to the US Treasury, General Kun Kim lost his position as RCAF joint chief of staff for precisely this reason.<sup>114</sup>

Efforts have also been made to preserve the symbiotic relationship between the RCAF and private sector by preventing members of the RCAF from amassing too much power in their own right in the civilian sphere. In 2019, 75 senior ranking members of the military and 36 from the police were stripped of their *oknha* titles, ostensibly to avoid conflicts of interest.<sup>115</sup> Among these were Major General Lay Sea (personal advisor to Defence Minister Tea Banh), Hak Mao (deputy commander of Brigade 70 and a logging magnate) and Uy Sarin (deputy commander-in-chief of the RCAF). Notably, the vast majority of those instructed to choose between military and *oknha* titles chose to retain the former.<sup>116</sup>

Also in 2019, Kim Reaksmey, the former head of the Ratanakiri gendarmerie (and thus under Sao Sokha's direct command), was removed from his post in 2019 after a video surfaced of him gifting each of his children US\$100 000, in a house built with luxury timber.<sup>117</sup> He was cleared of corruption charges,

however, and has since become the subject of a land grab complaint by an indigenous Bunong community in Mondulakiri.<sup>118</sup>

The close, albeit unofficial, management of the logging trade by the Cambodian authorities means that violent clashes over control of the lucrative logging trade are rare. One such example is the provincial military police commander for Battambang, Brigadier General Meas Sovann. In 2017, in an incident widely believed to stem from competing logging interests, a soldier was arrested on suspicion of fatally shooting a Forestry Administration official in Battambang. Before an investigation could take place, Sovann publicly asserted the man's innocence. Sovann was then reprimanded by Sao Sokha in December 2019 over undisclosed 'irregularities', although not removed from his post.<sup>119</sup>

When it comes to powerful private citizens, containment is more difficult. There have been occasional timber seizures and arrests of high-profile perpetrators, notably Soeung Sam Ol and Lim Bunna. However, the most effective approach is enforced logistical dependence – either on the police or on the RCAF and gendarmerie, depending on which body exerts the most local influence. This includes the strategic placement of checkpoints and military bases alongside known and planned logging routes.

## What does this mean for illegal logging and organized crime?

The complex patronage system rewards Cambodian officials for their fealty by allowing them to establish a local monopoly over other lucrative income streams. This includes illegal logging and timber trafficking as well as other forms of organized crime. It makes institutional change or reform extremely difficult to achieve, as even the most competent and well-intentioned officials are locked into a system of debt and obligation, and must draw on other sources of funding to survive.<sup>120</sup>

Moreover, at each level, an official's superiors are incentivized to accommodate (or at least ignore) illicit activity in order to profit directly through 'taxes' paid up the chain. They are also incentivized to assist in eliminating immediate competition. The vigour with which Cambodian political and military figures advocate for crackdowns on what the Ministry of Agriculture calls 'anarchic' loggers – the small-scale operators who exist outside of this taxation system – while flat-out denying all evidence that large-scale logging operations exist, is indicative of these priorities.<sup>121</sup>

The lucrative nature of the illegal logging trade has, for decades, handsomely rewarded those who remain loyal to the prime minister, as well as indirectly serving Hun Sen's interests.<sup>122</sup> Brigade 70, essentially a reserve army for his 4 000-strong bodyguard unit, notoriously raised funds to support their operations by plundering the forests.<sup>123</sup> The consequence is that organized crime groups without substantial ties to the government have little chance of tapping into the market.

While some international criminal syndicates do exist in Cambodia, these groups typically enjoy close ties with local officials. Rather than trying to exert power in competition with the authorities, they use the country to clean their cash and legitimize their criminal activity.

One such example is the World Hongmen History and Culture Association. A branch of the global Chinese fraternal network was opened in 2018 in Phnom Penh by Wan Kuok-Koi (also known as Broken Tooth), a former leader of the 14k Triads. The US Treasury accuses the World Hongmen Association of links to Chinese organized crime, specifically alleging that Broken Tooth used the group to legitimize himself, while framing circumspet business interests as part of the Belt and Road Initiative.<sup>124</sup> Both Broken Tooth and the World Hongmen Association have now been placed under Global Magnitsky Sanctions.

Despite this, Broken Tooth continues to enjoy access to many of Cambodia's highest-ranking officials and business elite. At one stage, he was pictured with the head of the Prime Minister's Bodyguard Unit, General Hing Bunheang (who is now also placed under Magnitsky sanctions).<sup>125</sup> At the opening of the association in Phnom Penh, National Gendarmerie Chief Sao Sokha and Deputy Prime Minister Men Sam An were in attendance; both were also pictured with Broken Tooth.<sup>126</sup>

Cambodia's booming casino industry and porous borders, and the construction of a deep-water port in Sihanoukville, offer numerous opportunities for organized crime groups to move illegal products (including illegally harvested wood) through the kingdom with access to sustainable money laundering business ventures, such as casinos.<sup>127</sup> Several current *oknhas* have also been accused of being involved in transnational criminal syndicates and yet still hold on to their titles.<sup>128</sup>

At times, timber trafficking and other forms of organized crime appear to collide.





# HISTORICAL ROLE OF THE ROYAL CAMBODIAN ARMED FORCES

A member of the Cambodian Royal Armed Forces at an air base in Phnom Penh. Alleged links to illegal logging are rife within the senior ranks of all branches of the Cambodian military. © Reuters/Chor Sokunthea via Alamy Stock Photo



## Cambodia's military structure

The RCAF is made up of the army, gendarmerie (military police), navy and air force. Officially, the RCAF's supreme commander is King Sihamoni.

The gendarmerie exists to investigate crimes committed by members of the RCAF; arresting civilians is theoretically outside its remit. However, at the department's 27th anniversary celebrations in June 2020, Defence Minister Tea Banh emphasized the role of the gendarmerie in intercepting and cracking down on forest crimes, adding that military police must arrest perpetrators, 'no matter whether they are military officers or civilians'.<sup>129</sup>

## Chain of command and structure of the RCAF

The RCAF is led by the commander-in-chief, which at time of writing is Vong Pisen. The RCAF falls under the umbrella of the Ministry of Defence, which is currently overseen by Defence Minister Tea Banh.

While the supreme commander of the RCAF is the ruling monarch, its de facto commander is Prime Minister Hun Sen. Hun Sen also directly commands the Body-guard Unit (BHQ), bypassing the normal RCAF chain of command. At least eight senior personnel in the BHQ, including Commander Hing Bun Hieng (who is subject to international sanctions in relation to serious human rights abuses)<sup>130</sup> and joint chiefs of staff Ung Sarith and Dieng Sarun, are former members of Brigade 70. The historical connections between Brigade 70 and Cambodian timber trafficking are discussed later in this section.

The RCAF is divided into four departments: the army, navy, air force and gendarmerie:

- The army is commanded by Hun Sen's son, Hun Manet, who is also deputy commander of the BHQ.
- The navy is led by Tea Banh's brother, Tea Vinh, who is subject to sanctions under the Magnitsky Act relating to corruption in the construction of Ream Naval Base.<sup>131</sup>



- The air force is headed by Soeung Samnang.
- The gendarmerie is commanded by Sao Sokha, who also presides over the National Committee for the Prevention and Crackdown on Natural Resource Crimes and has been named in a number of investigations into illegal logging and timber trafficking dating back to the 1990s.

Despite Cambodian law requiring military personnel to remain politically neutral in the discharging of their duties,<sup>132</sup> a significant number of senior RCAF

personnel were members of the CPP Central Committee at time of writing.<sup>133</sup>

Notably, there are over 3 000 generals in the RCAF and it is worth noting that individuals granted a high military rank do not always hold official positions nor do they fit neatly into this chain of command.<sup>134</sup> This is true even for certain high-profile figures attached to a specific unit. For example, Hom Hoy is frequently described as a two-star general in the bodyguard unit but does not appear to hold an official position in the department.<sup>135</sup>

## RCAF involvement in illegal logging

Alleged links to illegal logging are rife within the senior ranks of all branches of the Cambodian military. The most notorious units are listed below.

### Brigade 70 and Prime Minister's Bodyguard Unit

Historically, Brigade 70 was known to be a key actor in illegal logging on the military side.<sup>136</sup> In the 1980s, the unit focused on the arrest of the political opponents who were sometimes tortured into confessing involvement with the Khmer Rouge.<sup>137</sup>

Brigade 70's official role evolved into providing direct protection for the prime minister after the 1993 elections. A 2007 report from Global Witness accused Brigade 70 of acting as a nationwide 'timber trafficking service', moving large quantities of illegal wood through Cambodia and into Vietnam. The unit generated several million US dollars a year through the trade, which goes into financing the brigade's operations in addition to a large cut allegedly being handed over to the head of the Prime Minister's Bodyguard Unit, General Hing Bun Heang.<sup>138</sup>

Private enterprise is usually necessary within the RCAF so that payments can be made up the patronage system. In fact, a 2010 sub-decree enabled the RCAF to raise money for their units by acting as private security for *oknhas* such as the logging tycoons Ly Yong Phat, Kith Meng and Try Pheap.<sup>139</sup>

Hom Hoy, a two-star general in the Prime Minister's Bodyguard Unit is described by Global Witness as a middleman for sanctioned logging tycoon Try Pheap,

in addition to having close ties to the Ministry of Environment and Forestry Administration.<sup>140</sup> Hom Hoy has been linked to Try Pheap's logging trade in Pursat, Kampong Thom and Ratanakiri. According to Global Witness, interviewees in one village said they were visited by General Hom Hoy, accompanied by soldiers, and coerced into signing a contract (which they supplied) in which Hom Hoy agreed to construct a bridge and a village hall in return for their consent for his men to log in the area.<sup>141</sup> The luxury trees were taken but no village hall or bridge was built.

### Intervention Division 3

Today, illegal logging is predominantly associated with Intervention Division 3 and the three brigades that fall under it: Intervention Brigade 7, 8 and 9.

Hun Sen first acknowledged (albeit indirectly) that this was taking place in 2010, at a ceremony celebrating the role of the RCAF in ending a border dispute with Thailand. The event, which was presided over by Hun Sen and his wife Bun Rany, was held at Intervention Division 3 headquarters in Preah Vihear province and highlighted the contribution of Intervention Division 3, and Brigade 7 in particular. In his speech, Hun Sen told the gathered soldiers that to ensure a peaceful resolution, he was obliged to issue an order to them 'not to enter their territory, even for purposes like logging. That is illegal and causes problems.'<sup>142</sup>

A human rights NGO analyst interviewed for this report claimed that Intervention Division 3 was still

active in logging and is linked to the killing of forest rangers.<sup>143</sup> Members of Intervention Division 3 also have also intimidated Prey Lang Community Network activists trying to investigate the death of Chut Wutty,<sup>144</sup> an environmental activist shot dead by military police in 2012 while investigating illegal logging in the Cardamon Mountains.<sup>145</sup>

The 2010 ceremony at Intervention Division 3 headquarters also provided a useful example of the patronage system in action, both in terms of procuring vital funds for public works and military operations, and in its positioning of powerful political, military and *oknha* figures as direct benefactors.

Dr Sok An, then deputy prime minister, gave a speech describing the US\$3.5 million expansion and upgrade of the unit as 'under the direct supervision and coordination' of Lieutenant General Hing Bun Hieng (head of the bodyguard unit) and Major General Srey Deuk (head of Intervention Division 3) as well as the 'leadership' of the RCAF – notably General Kun Kim and Chea Dara, a four-star general who announced in 2015 that the army 'belongs' to the CPP because Hun Sen is its 'feeder, caretaker, commander and leader'.<sup>146</sup> Kun Kim and Hing Bun Hieng have since been placed under international sanctions; amid a litany of allegations of human rights abuses and environmental crimes, Kun Kim was reportedly working closely with the logging company Malaysian GAT International.<sup>147</sup>

The funding Sok An referred to included tractors, pick-up trucks, water-tank trucks and gasoline explicitly for 'clearance work'.<sup>148</sup> Part of the work was financed by the National University of Management, he said, but most came from his 'own family members' as well as 'national and international generous donors whose names are engraved on the marble plates of the division's and brigade's buildings', with another US\$1 million provided from the state budget to construct a 5.7-kilometre road to the Intervention Division 3/Brigade 7 buildings. However, he said that more contributions would be required going forward from 'your excellencies, Lok Chumteav, the leaders of the RCAF and police forces, *oknhas*, ladies and gentlemen, for the cause of national defence... to defend the territory against any foreign invasion'. He also stated: 'these activities are initiated jointly by me and the headquarters of bodyguard units and

Intervention Division 3'.<sup>149</sup> The bodyguard unit has also been accused of funding its activities through large-scale illegal logging.<sup>150</sup>

## Other implicated units and individuals

On 18 July 2010, two journalists (Ork Ngon and Thon Sok Kong), who were working on a story investigating illegal logging in Kratie and had taken photos of a logging operation, filed a complaint in court alleging that military police officer Chea Saing Hong came to their office with a group of colleagues, punched Thon Sok Kong in the face and threatened to murder both journalists if they continued their investigation. The group of gendarmerie officers later returned and threw rocks at the office. No further action appears to have been taken.<sup>151</sup>

Journalist Chea Sros of the *Raksmei Kampuchea Daily* was charged with kidnapping, extortion, physical assault and disinformation after publishing an article accusing soldiers from Brigade 5 and a local timber trader of being involved in illegal logging in Prey Kuy village, Sangkat Ampil, Siem Reap province in May 2010. NGO Licadho noted that the 2010 national campaign against illegal logging led to 16 arrests of journalists covering the issue (in some cases, with probable grounds of extortion), the confiscation of 3 000 cubic metres of timber, but hardly any arrests of illegal loggers.<sup>152</sup>

In 2015, Human Rights Watch highlighted multiple units as having 'long histories' of human rights violations, including killing protesters and using excessive violence during forced evictions: national Intervention Division 2; navy and regional infantry Brigades 21, 31, 41, 42, 51, 52 and 53; constituent units of Police Regions 3 and 4; the Phnom Penh gendarmerie and police; and other 'mixed forces' in provinces throughout Cambodia.<sup>153</sup>

In 2008, Licadho described Brigade 31 as working with the Forest Administration to try and 'take control' of Anlong Kroa and Chey Sena villages, in Chhuk District, Kampot province, using extreme violence, forced evictions and burning down homes to remove families living on the land.<sup>154</sup> Authorities claimed it was protected state forest, but, according to Licadho, failed to produce documents proving ownership.






# CASE STUDIES

Stump left behind from a freshly cut reach kol tree in Pursat. *Photo: supplied*





Our field research indicated two distinct strategies deployed by the Cambodian government to shift the balance or diversify power over the illegal logging trade: firstly, containment and symbiosis, and, secondly, direct control. These strategies reflect regional levels of maturity and monopolization of the illegal logging trade.

A common reality in both case studies is the presence and growth of military checkpoints that, ordinarily, would be taken as an indicator of increased enforcement or insecurity in the given areas. Yet, analyzed alongside rampant continued deforestation, it can logically be assumed that their presence is aimed at controlling and facilitating illicit trade.

## Case study 1 – Cardamom Mountains: Containment and symbiosis

The Cardamoms are a mountain range that traces Cambodia's south-west border with Thailand, stretching from Battambang province down to Koh Kong in the south. Commercial control over areas that are known hotspots for illicit logging in the Cardamoms appears to be split predominantly between two powerful *oknhas*: Ly Yong Phat (whose businesses operate in the lower half, mostly Koh Kong) and Try Pheap (who operates in the upper half in Pursat and Battambang).

### Ly Yong Phat

Koh Kong province is controlled in large part by CPP Senator *Oknha* Ly Yong Phat, the self-styled 'King of Koh Kong', along with his wife and children.<sup>155</sup>

Phat, who also goes by the Thai names Phat Suphapha or Pad Supa, was, according to leaked US government cables,<sup>156</sup> personally tasked with handling development in Koh Kong and owns a string of sugar companies in Cambodia and Thailand, including Koh Kong Sugar Industry Co. Ltd in Sre Ambel and Kampong Speu Sugar Company. The Kampong Speu Sugar Company has been accused of systematically logging the Phnom Aoral Wildlife Sanctuary in 2013, in conjunction with HLH Agriculture, a company controlled by Hun Sen's sister, Hun Seng Ny.<sup>157</sup>





Tycoon Try Pheap's sawmill in Kampong Speu, managed by General Kim Reaksmeay, July 2021. Photo: supplied

Phat's corporate portfolio also encompasses the Kiri Sakor Koh SEZ, the Neang Kok Koh Kong SEZ, the ELCs LYP Group Co. Ltd (a cassava plantation), Phnom Penh Sugar Co. Ltd (a sugarcane plantation), LYP Group Co. Ltd Chub Rubber (rubber and sugarcane), Koh Kong Plantation Co. Ltd (a sugarcane plantation in Botum Sakor), and a casino in Poipet, further north along the Thai border.

In 2012, *The Cambodia Daily* reported that Ly Yong Phat, in partnership with Chinese Tianjin Union Development Group (UDG), had been awarded 56% of the 170 000-hectare Botum Sakor National Park to build a billion-dollar holiday resort, casino and airport complex.<sup>158</sup> UDG, a Chinese state-owned entity, was placed on the US sanctions list in 2020 over land grabs and human rights abuses.<sup>159</sup> Some of these were directed by Kun Kim, a senior Cambodian general and former joint chief of staff of the RCAF, who is subject to separate Magnitsky Act sanctions for corruption and misappropriation of state assets. The US Treasury found that Kun Kim had used RCAF soldiers to intimidate locals, demolish homes and clear land in Koh Kong on behalf of UDG.

In 2019, Ly Yong Phat was also given the green light to develop the previously untouched Koh Kong Island.

Leaked US cables from 2007 described Ly Yong Phat as an advisor to Hun Sen who sits on the board of

the Red Cross alongside the prime minister's wife, Bun Rany.<sup>160</sup> According to the leaks, on at least one occasion Phat allegedly used his influence to deploy armed military police to burn down surrounding villagers' crops and force them off their land.

## Try Pheap

US-sanctioned Try Pheap has long been accused of illegal logging in the Cardamoms and Prey Lang protected forests. A prolific tycoon, he has reportedly invested heavily in the infrastructure required to manage and facilitate every step of the process. His business interests include several SEZs (such as MDS Thmorda, which is in Thma Da on the Thai border), a dry port, an import/export company, and even engineering and petroleum companies.

Eleven of his companies have also been placed under sanctions, although the more recently registered M D S Heng He Investment (2018), Try Pheap Rongqing Manufacture Co. Ltd (2017) and Try Pheap Oudom Sensokh (2020) have not yet been added to this list.<sup>161</sup> Heng He Investment, located in Thma Da, is co-directed by Liangsheng Su and Su Zhongjian, close business associates of the prime minister's nephew, Hun To. Liangsheng Su, Su Zhongjian and Hun To are co-directors of Heng He (Cambodia) Commercial Bank PLC and Heng He Julong Town Real Estate Co. Ltd. Hun To and Liangsheng Su also

co-direct Heng Zuan Yule (Ju Long Town) Co. Ltd.

Try Pheap's daughter, Try Dalin, and sons, Try Dalux and Try Daphors (a co-director of Papa Petroleum), also own a string of energy and investment companies.

At times, Try Pheap's focus on lucrative logging opportunities has been at odds with the CPP's larger strategic objectives. In the 2010s, he was commissioned to clear forest area in Koh Kong to make way for the reservoir basin of Stung Atay Dam. Instead, he directed his team to focus on identifying and trafficking valuable rosewood into Vietnam and China, earning an estimated US\$227 million in the process.<sup>162</sup> This led to a souring of the relationship with the Chinese state-owned enterprise that owns the dam project.<sup>163</sup>

Try Pheap is already subject to US sanctions under the Magnitsky Act. In a press release on 9 December 2019, the US Treasury's Office of Foreign Assets Control outlined the rationale behind this decision:

'Pheap has used his vast network inside Cambodia to build a large-scale illegal logging consortium that relies on the collusion of Cambodian officials, to include purchasing protection from the government, including military protection, for the movement of his illegal products. For example, Pheap used the Cambodian military to enable his timber trafficking activities and sell to buyers in Vietnam, China, Europe, and Russia. The support of these officials makes it difficult for local authorities to take lawful action against Pheap, as in one example, Cambodian National Park officials were paid by Pheap to keep his operations secret from the international community.'<sup>164</sup>

Despite this, in February 2022, a royal decree (under the direction of Hun Sen) elevated Try Pheap and his wife Kieng Srey Neang from *oknha* to *neak oknha*.<sup>165</sup>

## Evidence of formalized bribes and taxes

While some bribes are paid on the spot, larger and regular payments to local authorities and departments are arranged in advance.

During our research, we encountered multiple accounts of this process from a variety of sources.

- In an audio recording made by researchers involved in this project, one caller posing as a

potential logger spoke to Ta Thong, a colleague of Ta Hoy, a known logging manager who works for Try Pheap. In the call, Ta Thong discusses the payment structure for loggers and assures him the syndicate pays bribes in advance to the relevant authorities, notably the police.<sup>166</sup>

- A logger took us to a site in Phnom Samkos Wildlife Sanctuary, Battambang, where he had helped fell a number of luxury wood trees. The logger explained that payment arrangements were handled in advance by the buyer, but he needed to pass by a manned ranger station on the way out of the sanctuary, which had been briefed to let him pass.<sup>167</sup>
- A logging scout we interviewed in Phnom Samkos Wildlife Sanctuary told us that scouts identify luxury wood trees and inform loggers of the location. The buyers of the wood pre-arrange payments to all relevant authorities in the area to ensure safe passage for these loggers. The scout claimed that, once the loggers have cut down the trees identified and are ready to transport them from the forest, they call ahead to the Forest Authority and Ministry of Environment so that they know that they are part of this system and will let them pass. If they fail to provide advance warning, they will have to pay US\$50 to representatives of both government departments as well as Try Pheap's representatives. When the trees are taken from the forest, the loggers drive the *koyun* (a vehicle used to transport wood from the forest) directly to an office of the Forest Authority and pay a further US\$12.50 (50 000 riel) per *koyun*. Each *koyun* can carry up to 4 cubic metres (1-2 'kip') on a good road, although less when transporting down a steep mountain path. On the way down, they will also need to pass local police officers who are not part of this system and will be expected to pay each of the low-ranking officials they encounter around US\$5 (20 000 riel) each. The only authority they are seriously worried about is Wildlife Alliance, which will confiscate the *koyun* and make them go to court, which could cost US\$250.<sup>168</sup> Each kip sells for around US\$250 at the forest level, so a *koyun* with 1-2 kip is worth US\$250-500.<sup>169</sup>



- We reviewed a transcript of a call with a ranger in Prey Lang, who explained that a senior park official dictated which loggers they were to arrest and which to ignore based on who had pre-paid bribes to him on a monthly basis.<sup>170</sup>
- A forest crime researcher we worked with in Pursat alleged that pre-paid bribes to local authorities, including military and gendarmerie units, cost logging syndicates up to US\$6 000 per month.<sup>171</sup>
- A copy of a 'Timber Harvesting Announcement', distributed by the Think Biotech sawmill in Prey Lang during the 2020-2021 dry season, outlined set prices for various forest products in the company's concession.<sup>172</sup> This included prices for timber up to a diameter of 5.2 metres, well over the legal maximum. While not bribe payments, this adds weight to the characterization of the timber trafficking trade as a planned, organized system of pre-agreed payments, rather than chaotic or opportunistic in nature.

These accounts were supported by our observations in Mondulakiri, Kratie and Pursat, where a steady stream of vehicles openly carrying illegal timber

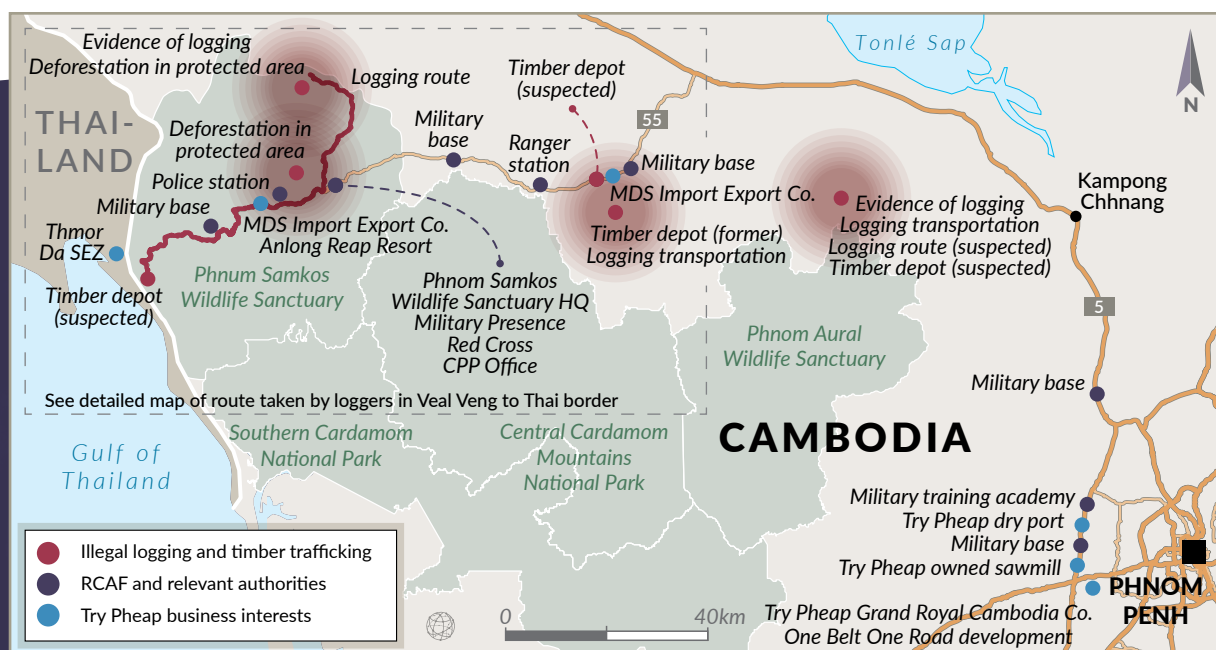
passed directly in front of manned military and gendarmerie units, as well as ranger stations and local government offices, without any attempt to intercept them.

## Construction of new military checkpoints on the border road

Among Try Pheap's assets are MDS Thmorda SEZ, positioned at Thma Da (variously transliterated as Thmor Da or Thmorda), on the Thai border. The sole accessible route running from the main logging tracks into Phnom Samkos Wildlife Sanctuary from the Veal Veng side to the Thma Da-Trat crossing is via the Phnom 1500 mountain, where a new road – National Road 55 – was built recently as part of China's Belt and Road Initiative. Along this winding mountain path, at least seven new RCAF military bases and outposts have been constructed since 2014. These include bases for Unit A4 and Brigade 14.

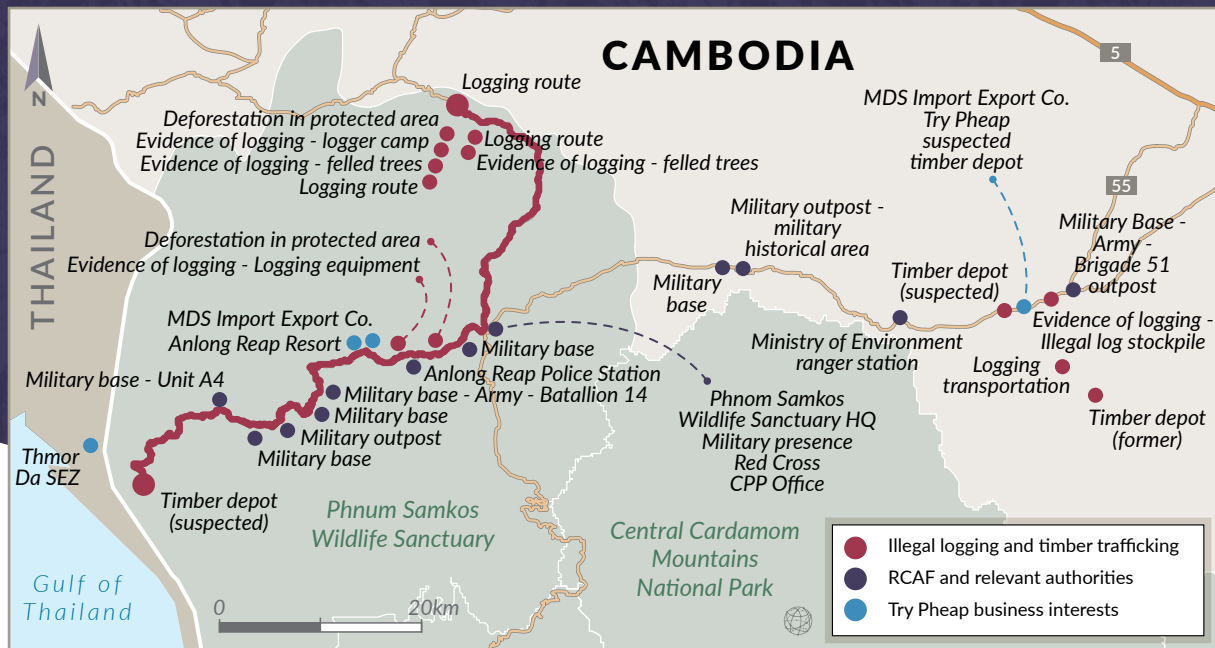
Loggers in Veal Veng informed us that the Thma Da crossing was still opening regularly, with large-scale trucks crossing at night. The journey along the mountain road passes at least 10 military outposts.

In 2015, the Chinese Road and Bridge Corporation began constructing National Road 55, to connect



**FIGURE 2** Recent illegal logging and timber trafficking flashpoints.

NOTE: The research team visited these locations during fieldwork.



**FIGURE 3** The sole passable route from the logging hotspots in Phnom Samkos to the crossing (and Try Pheap's SEZ) at Thma Da.

Veal Veng to Thmor Da checkpoint on the Thai border.<sup>173</sup> The project was scheduled for completion in 2018 but finished in 2020.<sup>174</sup> This vastly improved speed and ease of transport to the border: a journey that previously took an entire day is now just two to three hours. This makes it an attractive option for timber traffickers bringing illegal timber from sawmills and depots in Pursat (or further afield), as well as loggers transporting wood directly from the Phnom Samkos protected area.

Given the increased risk of cross-border trafficking along this new road, creating additional checkpoints would be a logical step to better secure the border and protect the surrounding forest against illegal logging and timber transportation. However, some of these bases are evidently using their position to encroach deeper into the forest. Moreover, despite its notoriety as an illegal timber trafficking route, arrests by these units are rarely reported. In July 2021, a military officer from Border Guard Unit 501 was arrested for storing illegally harvested rosewood – but by rangers from Phnom Samkos Wildlife Sanctuary, not any of the military or gendarmerie units surrounding the area.<sup>175</sup>

This suggests that these new military and gendarmerie units may have been placed along the road to better facilitate taxation and monitoring of illegal timber flows (and potentially other illicit cross-border trades), rather than to curb them.



An RCAF station for Brigade 14. Photo: supplied





Historical Google Earth satellite imagery shows that nothing had been built on the site as of 2014. © Google Earth



2018: a cluster of areas had been cleared to make way for the new bases. The two Brigade 14 bases connect to new roads leading deep into the protected forest, connecting to larger clearings. © Google Earth



## Case Study 2 – Mondulkiri and Kratie: Direct control

While illegal logging is rampant in the protected forests of Mondulkiri, Ratanakiri and Kratie provinces, far more competition exists between rival actors in the political, military, police and *oknha* elite than in the duopolized Cardamom Mountains. This has created a more volatile, power-struggle dynamic, although it is played out through legal and political channels rather than through violence.

Arrests of smaller players, especially low-ranking border police, military officers or even squadron commanders, are heavily publicized and frequently attributed directly to General Sao Sokha.<sup>176</sup> Sao Sokha is an ally of Hun Sen who, as discussed earlier in this report, holds the dual role of head of the national gendarmerie and chairman of the National Commission for the Prevention and Suppression of Natural Resource Crimes.

This has also created an opportunity for the CPP and RCAF to streamline the placement of new infrastructure to maximize tax-collection capacity, minimizing the risk of genuine anarchic logging while ensuring that new syndicates cannot scale up without their notice and consent.

Fieldwork in protected areas close to the Vietnamese border in Snoul (Kratie) and Keo Seima/Phnom Numlear (Mondulkiri) found that construction of military, border police and Environment Ministry offices and outposts has accelerated in recent years, mirroring the development of new logging and timber trafficking routes within protected areas and across the border. This supports the hypothesis that logging and timber smuggling are not simply ignored in return for ad-hoc bribes. Rather than informal corruption, military, policing and government infrastructure has been planned in tandem with logging routes.

Indeed, local reports suggested that many of the informal smuggling tracks seen criss-crossing the border near Snoul were built recently by the Military Engineering Unit, stationed nearby.

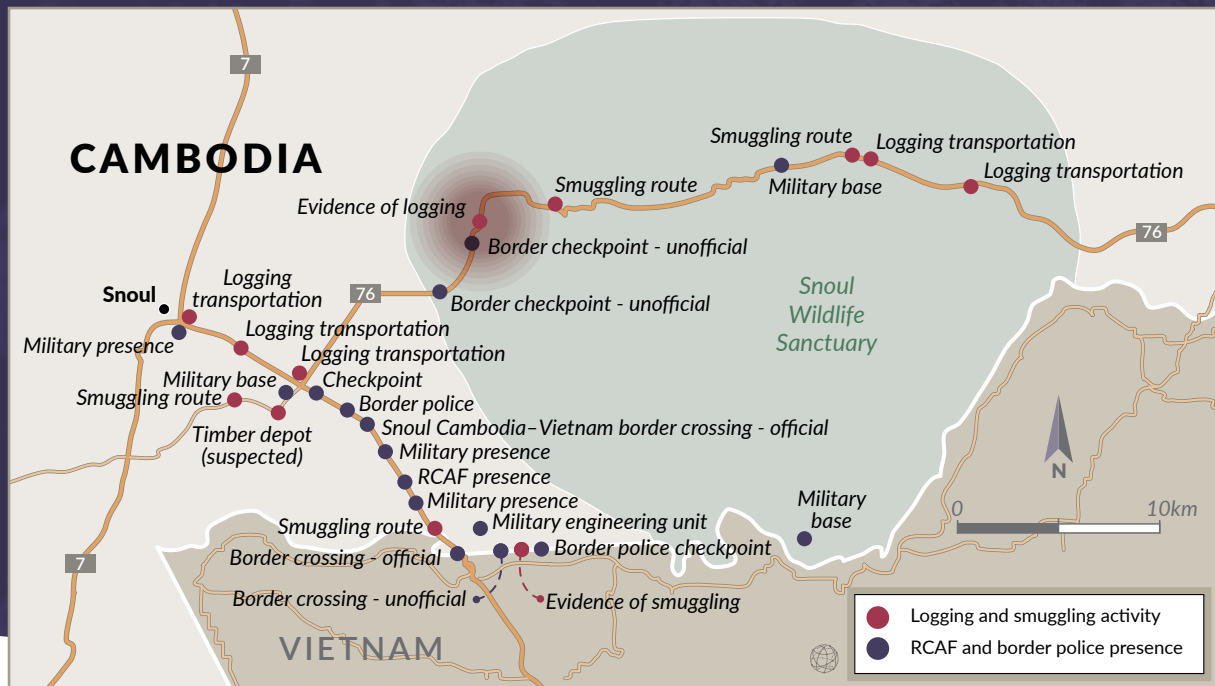


Tyre tracks criss-cross an unofficial Vietnam border used by timber smugglers in Snoul. *Photo: supplied*



Military engineering unit at the heart of a warren of cross-border paths used by smugglers. *Photo: supplied*





**FIGURE 4** Cross-border smuggling routes used by loggers in Snoul.

Our team also accessed a network of informal border crossings in the heart of Phnom Numlear sanctuary, which local communities say they have been barred from entering. Here we discovered not only a cluster of newly built military bases and unofficial crossings, but also that RCAF personnel retain complete control over the entry points, with the most accessible road for vehicles running directly through a military base into the sanctuary.

On the morning of 23 July 2021, our team also filmed a soldier waving a truck loaded with luxury timber through an illegal checkpoint in Numlear, allowing it to travel into Vietnam (see photo).

This suggests that the purpose of this newly built RCAF cluster is to ensure that the military directly controls the flow of illegal timber across the border.



Screenshot from video of soldiers waving through luxury timber at a border crossing in Phnum Numlear.

*Photo: supplied*





**FIGURE 6** Route taken by trucks from the Lim Royal sawmill through Koh Nheak, Mondulkiri.

NOTE: Any vehicles transporting timber to the Lim Royal sawmill would have to pass a series of RCAF checkpoints before joining the national road at the centre of a cluster of military, gendarmerie and local government offices.



Lim Royal Joint Stock Company sawmill operating within the boundary of Phnum Prich Wildlife Sanctuary. *Photo: supplied*



Gendarmerie office under construction in 2014. *Photo: supplied*



Lim Royal Joint Stock Company, owned by the *oknha* Lim Bunna, was granted the ELC in 2012 and the earliest satellite image of a timber warehouse in full operation on the site is from January 2014 (as of December 2011, the area was still dense forest).<sup>177</sup> This tells us that the decision to place a gendarmerie office in this precise location followed the construction of the depot/sawmill, and that the depot has continued to operate for at least seven years despite the presence of military police as neighbours and a reputation for illegal logging. In 2016, the authorities seized illegal rosewood from Lim Bunna's compound in Tboung Khmum to be sold at auction, but in 2017, the company was granted the right to operate a sawmill.<sup>178</sup>

Rival timber magnate *oknha* Sam Ol was also charged with illegal logging during the same period, leading to speculation that Lim Bunna and Sam Ol were

essentially proxies in a war between more powerful patrons in the ruling elite.

In 2019, five companies operating in Koh Nheak had their licences revoked over claims they were logging outside their concessions. Lim Royal was not on the list. The National Committee for Prevention and Crackdown on Natural Resource Crimes claimed the company had broken no rules, although the *Phnom Penh Post* reported that the company was paying smaller groups of loggers to cut down trees from Phnom Prich and Keo Seima, before paying various authorities US\$18 000 per lorry transported to Vietnam.<sup>179</sup> In 2018, the Environmental Investigation Agency published a report describing the 'road of tolls' through Phnom Prich Wildlife Sanctuary to the Vietnamese border, whereby logging trucks paid bribes at four ranger stations and over 20 military and gendarmerie checkpoints en route to Vietnam.<sup>180</sup>



Site of the Lim Royal Joint Stock sawmill in December 2011 (above) and January 2014 (below). © Google Earth






# CONCLUSION

*Photo: supplied*





Cambodia's well established patronage system works efficiently in enabling the illicit logging business, establishing networks of mutual dependence between nuclei of power and wealth in the government, military and private sector that make it difficult for those operating outside the system to thrive, especially if they seek to compete in illicit industries.

The flipside of this, of course, is that the system is incompatible with efforts to tackle resource exploitation, predatory land grabs, illegal logging and forest crime. The patronage system only works if those paying their dues can rely on authority holders to protect and advance their interests, while the senior leadership can only rely on the loyalty and financial contributions of *oknhas*, the military and lower-level political figures for as long as they can keep illicit revenue streams like logging open to them.

This means that tackling the illegal logging and timber trade in Cambodia would require radical systemic overhaul. The challenge is not weeding out corruption from the system: what might conventionally be thought of as corruption *is* the system. Shifting to a different political model that does not require financial interdependence and obligation to function would be a major undertaking and would require a significant increase in state funding to stabilize wages along the chain. It is important to recognize, too, that while the patronage systems undoubtedly facilitate the unsustainable and escalating pillaging of Cambodia's forests, the black-market taxation system it imposes nevertheless keeps the trade somewhat stable and disciplined. Organized crime in Cambodia, including the timber trade, sees very little violent conflict between rival groups. Simply disentangling the government from timber trafficking, without actually reducing the scale of logging, would likely see a surge in volatility and violence.

Appreciating how the political elite uses the patronage system to retain power is also helpful in understanding the need for restraint in assuming direct personal control of the country's most lucrative opportunities. The Hun family's value to *oknhas*, politicians and military personnel is as gatekeepers to wealth: this is what incentivizes others to keep them in power. Assuming direct financial control of the illegal logging trade might be a quicker route to wealth, but it risks making the Hun family useless to those on whom their loyalty depends – meaning Hun Sen must carefully manage his family's ambition in this regard. Taking a cut from lucrative revenue streams through payments made upwards through the system, on the other hand, not only enriches those at the top of the tree, but it also protects their position in the long run.

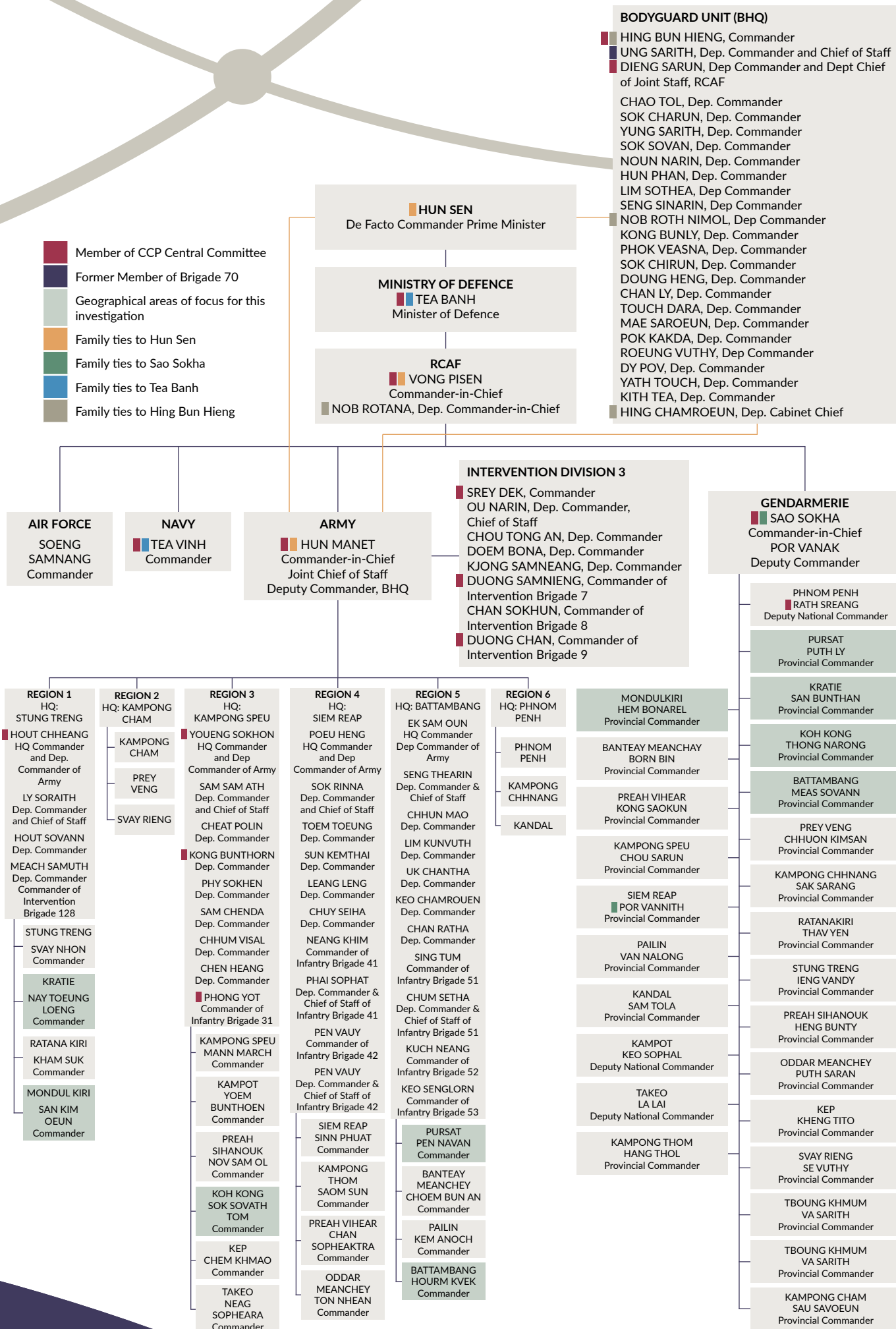
As discussed, Cambodia's ruling elite has little incentive to make meaningful changes to a system that continues to enrich it. In the short term, this means that curbing the flow of illegally logged luxury timber out of the country will likely depend more on the ability of destination country governments (such as Vietnam, Thailand and China) to detect and intercept illegal timber imports.





# APPENDIX

CAMBODIA'S MILITARY HIERARCHY AND STRUCTURE  
(AS OF RESEARCH PERIOD, MAY–AUGUST 2021)





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# **GLOBAL INITIATIVE**

**AGAINST TRANSNATIONAL  
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