

Land Possession in Cambodia: Legal Criteria and Effects

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Abstract

This paper is an analysis of the legal features of land possession in Cambodia. Cambodian property laws have two kinds of legal concepts over land possession. The first is ‘extraordinary’ possession authorized under the 2001 Land Law. The second is ‘prescriptive’ or ‘adverse’ possession authorized under the 2007 Civil Code. Extraordinary possession is applied to original or unregistered state private land, while prescriptive or adverse possession is applied for the subsequent registration of individual private land. Both types of possessions have remarkable legal criteria, requirements, and effects for assessing entitlement to ownership acquisition, as described in this paper. Understanding of these is fundamental for resolving competing claim disputes over land. Decisions made based on these features are considered as justification of legal fight among competing claim disputants in Cambodia.

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