

PUBLIC

**AI Index: ASA 23/012/2009
18 June 2009**

Further Information on 99/09 (ASA 23/006/2009, 9 April 2009) and follow-up (ASA 23/011/2009, 11 June 2009) - Fear of forced eviction/health concern

CAMBODIA

Around 32 families living at Borei Keila, Phnom Penh

Around 20 families living with HIV and AIDS were forcibly evicted from their homes in Borei Keila on 18 June, to a resettlement site outside the Cambodian capital Phnom Penh, where there is no clean water or electricity and limited access to medical services. Although the district authorities orally promised the remaining families that they would be given new housing at Borei Keila, the families have received no information about when this will take place.

At 8.30 am district level officials distributed rice and condiments to the families and informed them that they had to leave the same morning. By 10 am the families were transported from Borei Keila to Tuol Sambo resettlement site in Dangkor district, 25 kilometres from the city. The families did not protest. A human rights worker who was present described the families as despondent and noted that those who are ill were also exhausted by the move.

At least one person in each family requires access to anti-retroviral treatment for HIV and treatment for AIDS-related illnesses. The grossly inadequate conditions at the site pose a health risk to the families, and transport costs to continue anti-retroviral treatment and access to medical services in the city is prohibitive. Travel to earn a livelihood as market scavengers and porters is also too costly.

The housing at the resettlement site is made of green metal sheets and looks distinct from other homes in the semi-rural area. The living space is too small, and buildings are too close together for safety and ventilation. The families, most of whom are living in severe poverty, strongly fear they will face stigmatization and discrimination because of their HIV status. When Amnesty International visited the site in April 2009, villagers in the vicinity already referred to it as the "AIDS village".

BACKGROUND INFORMATION

The 20 families were living within a large urban poor community at Borei Keila. Under a 2003 land-share agreement a developer was to provide new housing for the original over 1,700 residents on part of the land. In March 2007, the Municipality of Phnom Penh resettled 32 families living with HIV/AIDS against their will in temporary green corrugated metal shelters in appalling conditions, to make way for the construction of a number of residential houses. The families believe that because of their HIV status, the authorities discriminated against them by not assessing them properly for eligibility for flats in the new buildings.

In 2008, Amnesty International received reports about 27 forced evictions, affecting an estimated 23,000 people, most of whom are living in poverty. Some 150,000 Cambodians are known to be living at risk of forced eviction in the wake of land disputes, land grabbing, agro-industrial and urban redevelopment projects. An estimated 70,000 of these live in Phnom Penh.

As a party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and other international human rights treaties which prohibit forced eviction and related human rights violations,

including the International Covenant on Civil and Political Rights (ICCPR), Cambodia has an obligation to stop forced evictions and to protect the population from them.

Forced evictions are evictions that are carried out without adequate notice, consultation with those affected, without legal safeguards and without assurances of adequate alternative accommodation. Whether they be owners, renters or illegal settlers, everyone should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats.

Cambodia also has an obligation to ensure adequate provision of health care to all its citizens, including access to treatment for people living with HIV and AIDS. An estimated 67,200 adults and 3,800 children are living with HIV. The International Guidelines on HIV/AIDS and human rights also urge states to ensure universal access to HIV-related goods, services and information, and that they “not only be available, acceptable and of good quality, but within physical reach and affordable for all”.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, French, Khmer or your own language or your own language:

- condemning the forcible eviction of 20 families living with HIV and AIDS at Borei Keila on 18 June to a grossly inadequate resettlement site with no clean water, no sanitation, no electricity, no health services and inadequate housing;
- urge on the authorities to immediately provide humanitarian assistance, including food, clean water, and basic services such as electricity, sanitation and local medical care;
- calling on the authorities to protect the remaining families at Borei Keila from forced eviction and to guarantee adequate alternative housing with security of tenure;
- calling on the authorities to ensure that none of the families are not discriminated against because of their health status.

APPEALS TO:

Kep Chuktema
Governor of Phnom Penh Municipality
#69 Blvd. Preah Monivong
Phnom Penh, Cambodia
Fax: + 855 23 426101
Email: phnompenh@phnompenh.gov.kh
Salutation: Dear Governor

Mom Bunheng
Minister of Health
No 151-153 Kampuchea Krom Blvd.
Phnom Penh, Cambodia
Fax: + 855 23 426841
Email: webmaster@moh.gov.kh
Salutation: Dear Minister

COPIES TO:

Lok Chumteav Bun Rany Hun Sen
President, Cambodian Red Cross
#17, Street Cambodian Red Cross (street 180)
Phnom Penh, Cambodia
Email: info@redcross.org.kh
Salutation: Dear Lok Chumteav

and to diplomatic representatives of Cambodia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 July.