

PUBLIC

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UA 110/09 **Fear of imminent forced eviction**

CAMBODIA **Around 80 families from Group 78, central Phnom Penh**

On 23 April 2009, the Phnom Penh Municipality distributed a final eviction notification to a community of around 80 families known as Group 78 living on the riverfront in central Phnom Penh. The notification, which was issued on 20 April, gave the community members 15 days from the date of issuance to move out of the area. It is the sixth eviction notice issued to the community since 2006, none of which has been based on a court order, as required by domestic law. Group 78 residents fear they may soon lose their homes, but have not given up hope that the authorities will respect the law and let them stay or provide fair and just compensation.

In the final eviction notification, Group 78 residents are requested to dismantle their homes by the deadline, or else the authorities state they will take “administrative measures”. If residents refuse to pack up and leave, the authorities state they will not take responsibility for any damage to or loss of housing or other property. According to the notification, the Phnom Penh Military Police is to coordinate its “implementation”.

In April 2009 the municipality offered all households that currently own their housing USD 5,000 and a small plot of land in Trapeang Anchanh resettlement site, some 20 kms from where they now live. Basic services at Trapeang Anchanh, where hundreds of other forcibly evicted people live, are inadequate, including water, sanitation and sewerage. The authorities have not built any shelters on the land. The cost for transport to and from Trapeang Anchanh to the city where Group 78 residents work far exceeds their expected daily earnings. Up to 20 families who are renting at Group 78, have not had any offers of relocation. There has been no attempt at a genuine consultation with the community, which has been living under the threat of forced eviction for three years, or to explore feasible alternatives to the proposed eviction.

The families, which include street vendors, and some teachers and government employees, started moving into the area on the riverfront in 1983. Since then the value of the land has increased enormously. The Municipality of Phnom Penh has provided different reasons for the eviction, ranging from beautification of the city to claims that the community are illegal squatters. The Group 78 families have applied for formal land titles several times, but the authorities have rejected their applications, despite the families having official documentation proving strong ownership claims under the 2001 Land Law.

In 2007 more than 20 families left Group 78 for Andong, another resettlement site, after threats and harassment from local authorities. However, they found they could not make a living at the resettlement site, and returned to the city as squatters, living in tents or under tarpaulins around the area.

In January 2009, about 400 poor urban families were forcibly evicted from Dey Kraham, which is located near to Group 78. Their homes were destroyed by an estimated 250 security forces and demolition workers, and many people lost their possessions. The vast majority were made homeless, and subsequently had no option but to move to resettle at a site also distant from Phnom Penh, with no clean water, electricity, sewage and basic services, and with shelters still under construction. Officials from the Phnom Penh Municipality have said to Group 78 residents that if they do not accept the compensation package, they will be seeing a resolution similar to that of Dey Kraham.

BACKGROUND INFORMATION

The last decade has seen a steady rise in the number of reported land disputes and land confiscations and evictions, including forced evictions, in Cambodia. Victims are almost exclusively marginalized people living in poverty, who are unable to obtain effective remedies. This rise is a result of the lack of the rule of law; a seriously delayed process of legal and judicial reform; and endemic corruption.

In 2008, Amnesty International received reports of about 27 forced evictions, affecting an estimated 23,000 people. 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 development projects. An estimated 70,000 of these live in Phnom Penh.

As a state 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 people from forced evictions.

Forced evictions are evictions that are carried out without adequate notice and 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.

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

- expressing concern that all families living at Group 78 in Phnom Penh are at risk of forced eviction to an inadequate resettlement, with no clean water, electricity; sanitation and sewage services, and access to health care;
- calling on the authorities to protect Group 78 from forced eviction and to engage in genuine consultation with the community, including on adequate alternative housing with security of tenure and compensation should this be necessary;
- calling on the government to end all forced evictions as a matter of urgency.

APPEALS TO:

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Governor
Phnom Penh Municipality
69 Blvd. Preah Monivong
Phnom Penh
Cambodia

Fax: + 855 23 526101
Email: phnompenh@phnompenh.gov.kh
Salutation: Dear Governor

Sar Kheng
Deputy Prime Minister and Minister of Interior
Ministry of Interior
75 Norodom Blvd.
Khan Chamkarmon
Phnom Penh
Cambodia

Fax: + 855 23 212708
Email: moi@interior.gov.kh
Salutation: Dear Minister

COPIES 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 8 June 2009.