

# URGENT ACTION

## DETAINED VICTIMS OF FORCED EVICTION ESCAPE

**The women and six children who were arbitrarily detained at Prey Speu Social Affairs Center in Phnom Penh, Cambodia escaped the facility on 18 January. They had been arrested during a peaceful protest about the forced eviction of the Borei Keila community and detention of eight residents. Others who continue to protest still face intimidation.**

The 26 women (originally thought to be 24) and six children were taken to the centre on 11 January. Representatives of Phan Imex, the company involved in the violent forced eviction of Borei Keila, tried to intimidate them and told them they would only be released if they accepted land at Tuol Sambo or Srah Po resettlement sites, on the outskirts of Phnom Penh and in Kandal province respectively. Three women were released on 16 January and one on 17 January, after accepting land in Srah Po. The remaining women and children escaped the next day by climbing the fences around the centre during a visit by two opposition members of parliament.

The eight residents arrested during the eviction on 3 January were held in pre-trial detention on charges of acts of violence and obstruction of public officials. One was released on bail on 18 January. The remaining seven, including two 17-year-old boys, were released on bail on 17 and 18 February.

Many of the evicted families have been moved to the resettlement sites, where conditions are poor and do not conform to international standards on adequate housing. Around 125 families remain in Phnom Penh despite their homes having been destroyed. Some of them are continuing to protest over the forced eviction and lack of housing. On 2 February, police violently dispersed around 150 women protesting against forced eviction in both Borei Keila and another site in Phnom Penh, Boeung Kak Lake. Six women were arrested and detained overnight, including four Borei Keila women who had been held previously at Prey Speu Social Affairs Center.

### Please write immediately in English, Khmer or your own language:

- Call on the authorities to halt all forms of intimidation, including arbitrary detention and violence, against the evicted families and others calling for a resolution for the Borei Keila community;
- Demand that they ensure that the Phan Imex company is held to its original undertaking to build housing for all persons evicted from the Borei Keila community;
- Ask them to ensure that all those forcibly evicted are provided with adequate compensation and suitable alternative accommodation that meets international standards for adequate housing;
- Call on them to conduct a full and independent investigation into the Borei Keila forced eviction, examining why the eviction took place and the apparent use of excessive force by security forces.

### PLEASE SEND APPEALS BEFORE 5 APRIL 2012 TO:

#### Minister of Interior and Deputy Prime Minister

Sar Kheng  
#75 Norodom Blvd.  
Khan Chamkarmon  
Phnom Penh, Cambodia  
Email: [moi@interior.gov.kh](mailto:moi@interior.gov.kh)  
Salutation: Your Excellency

#### Governor of Phnom Penh

Kep Chuktema  
#69 Blvd. Preah Monivong  
Khan Daun Penh  
Phnom Penh, Cambodia  
Email: [jfo@phnompenh.gov.kh](mailto:jfo@phnompenh.gov.kh)  
Salutation: Dear Governor

#### And copies to:

Minister of Foreign Affairs  
Hor Nam Hong  
No 3 Samdech Hun Sen Street  
Khan Chamkarmon  
Phnom Penh, Cambodia  
Fax: + 855 23 216141  
Salutation: Your Excellency

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 7/12. Further information:

<http://www.amnesty.org/en/library/info/ASA23/002/2012/en>

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### ADDITIONAL INFORMATION

On 14 February, a lawyer from the Prey Speu Social Affairs Center submitted a criminal complaint of 'slandering denunciation' and 'incitement' against human rights defender Mu Sochua, one of the two opposition MPs present when the women and children escaped from the Prey Speu Center. The MPs had visited the centre to talk to the women, find out about their welfare and advise them of their rights.

In another recent development, some former Borei Keila residents, represented by lawyers from local human rights groups, have filed a civil lawsuit against Phan Imex, the company involved in the forced eviction. They are calling for Phan Imex to build all of the onsite housing it had contracted to build. The Phan Imex owner has reportedly threatened to counter-sue them. Some of the former Borei Keila residents have also submitted a complaint to Cambodia's Anti-Corruption Unit, alleging that bribes were given to provide non-residents with onsite housing while excluding Borei Keila residents.

Borei Keila had been the home for a large poor urban community for many years. The government designated the area as a so-called social land concession for residential development in 2003. Poor homeless families are the primary beneficiaries of social land concessions, according to the 2003 Sub-Decree on Social Land Concessions. The Borei Keila social land concession was intended to be implemented as a land-sharing arrangement between the private developer Phan Imex a government ministry, and residents. The agreement gave the developer 2.6 hectares of the land for commercial development, in exchange for constructing new housing for over 1,700 residents on two hectares of the land. The remainder, consisting of 10 hectares, was to be returned to the ministry concerned. However in April 2010, the company claimed that it could not afford to build all of the housing and received government approval to build only eight of the 10 apartment blocks it had pledged. Left with no prospect of new homes, the 300 families had been protesting against the company and local authority before the forced eviction on 3 January.

As a party to the International Covenant on Economic, Social and Cultural Rights and other international human rights treaties, Cambodia has an obligation to stop forced evictions and to protect the population from them. Forced evictions are evictions carried out without adequate notice, consultation with those affected, legal safeguards or assurances of adequate alternative accommodation. Whether they be owners, renters or informal settlers, everyone should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats.

For more information, please view Amnesty International's press releases - *Cambodia: Stop the use of excessive force against peaceful land activists*: <http://www.amnesty.org/en/for-media/press-releases/cambodia-stop-use-excessive-force-against-peaceful-land-activists-2012-02-0>; *Cambodia: Release peaceful protesters detained over forced eviction*: <http://www.amnesty.org/en/for-media/press-releases/cambodia-release-peaceful-protesters-detained-over-forced-eviction-2012-01-> and the Open Letter to the Cambodian authorities: *Cambodia: Borei Keila forced eviction and arbitrary detention of 22 women and 6 children*: <http://amnesty.org/en/library/info/ASA23/003/2012/en>

Name: Evictees

Gender m/f: Female/male

Further information on UA: 7/12 Index: ASA 23/004/2012 Issue Date: 23 February 2012