

URGENT ACTION

FAMILIES RISK FORCIBLE EVICTION IN PHNOM PENH

Up to 1,500 families living around Boeung Kak Lake in Phnom Penh are facing imminent forced eviction, as the local authority and the company developing the land seek to clear the area. Intimidation and threats have been used against villagers to coerce them into accepting inadequate compensation or resettlement, and the security forces have used unnecessary force against peaceful gatherings of protesters.

On 2 March the Municipality of Phnom Penh (MPP) issued an eviction notice to residents of villages 6, 20, 21, 22 and 24 located around Boeung Kak Lake. It gave a one week deadline for the villagers to contact the local authority about compensation, failing which "strict measures" would be taken. The eviction notice also indicated that the authorities would not be "responsible for loss or destruction of property". This deadline has now been extended.

The families have lived with the threat of forced eviction since the MPP granted a 99-year lease for the land to a private company for development of the area in February 2007. In August 2008 the company began filling the lake with sand, causing flooding and destruction of properties. Since then around 2,000 families living in the vicinity have been forcibly evicted, with the remaining families (around 10,000 people) at risk, despite many having strong claims to formal land title deeds under Articles 30 and 31 of the 2001 Land Law.

No meaningful consultation has been carried out with the families. They have either been offered compensation which is insufficient to provide comparable alternative housing, or relocation to a site with limited access to work opportunities, poor infrastructure and a lack of basic amenities.

In January, the families submitted a proposal to the MPP for adequate on-site housing on 12% of the leased land. The detailed plan was developed by the residents with architects from a local NGO. The MPP rejected the proposal on 22 February. On 28 February, around 100 police officials used excessive force against some 200 residents who gathered peacefully to ask the MPP governor to reconsider. Police beat and hit some of the villagers with electric batons, including a woman who was violently pushed into a police car. Three people were arrested and later released.

PLEASE WRITE IMMEDIATELY in English, Khmer, French or your own language:

- Demanding the authorities ensure no forced evictions of families living around Boeung Kak Lake are carried out;
- Calling on the authorities to engage in meaningful consultation with the affected families about adequate compensation, or adequate alternative housing, including by giving serious consideration to the alternative proposal by residents for on-site development;
- Urging the authorities to ensure that the rights of the residents of Boeung Kak Lake are respected and protected, including by ensuring an immediate end to the excessive use of force, and harassment, intimidation and restrictions on the right to peaceful protest.

PLEASE SEND APPEALS BEFORE 19 APRIL 2011 TO:

Governor

Phnom Penh Municipality

Kep Chuktema

69 Blvd. Preah Monivong

Khan Daun Penh

Phnom Penh, Cambodia

Fax: + 855 23 430 681

Email: info@phnompenh.gov.kh

Salutation: Your Excellency

Deputy Prime Minister and

Minister of Interior

Sar Kheng

#75 Norodom Blvd.

Khan Chamkarmon

Phnom Penh, Cambodia

Fax: + 855 23 212708

Email: moi@interior.gov.kh

Salutation: Your Excellency

And copies to:

Minister of Foreign Affairs and
International Cooperation

Hor Nam Hong

No 3 Samdech Hun Sen Street

Sangkat Tonle Bassac

Khan Chamcar Mon

Phnom Penh, Cambodia

Fax: + 855 23 216141

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

According to the Municipality of Phnom Penh, the 133 hectares leased to a private company are to be turned into “pleasant, trade, and service places for domestic and international tourists”, but beyond that few details have been disclosed. The agreement between the company and municipality was reached without any consultation with the affected population. In early 2008 representatives of the people affected told Amnesty International that they had learnt about the agreement and the plans through the television news.

Since filling of the lake began, police and company workers have threatened and harassed the residents, and attempted to prevent them from holding meetings and from peacefully protesting against the forced eviction. In October 2010, police used unnecessary force, including electric batons, to break up a peaceful protest by Boeung Kak Lake villagers during the visit of the UN Secretary-General. One resident, Suong Sophorn, was beaten unconscious and detained by police until the departure of the Secretary-General. He had previously been arrested and fined in 2009 for painting “Stop Eviction” on his house.

The forced eviction of residents living around Boeung Kak Lake is under further scrutiny because of a case brought to the World Bank by the community and three NGOs. This case alleges that the residents were denied the opportunity to register their claims to land ownership under the World Bank administered Land Management and Administration Project (LMAP) which was designed to provide land titles throughout Cambodia.

Thousands of people around Cambodia are adversely affected by forced evictions, land grabs and land disputes, some in connection with economic land concessions granted to powerful companies and individuals. Increasing numbers of communities and individuals are protesting and petitioning the authorities in defense of their right to housing.

Cambodia is 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). The government therefore has an obligation to stop forced evictions and to protect the population from forced evictions.

Forced evictions are evictions carried out without adequate notice and consultation with those affected, without legal safeguards and without assurances of adequate alternative accommodation.

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