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Cambodia: Hundreds left homeless after forced eviction

The Cambodian authorities must stop denying people the right to housing and ensure adequate compensation and restitution for over 150 poor urban families who were forcibly evicted from central Phnom Penh at the weekend, Amnesty International said today.

Cambodian security forces and demolition workers forcibly evicted 152 families from Dey Kraham community in the early hours of 24 January 2009, leaving the vast majority of them homeless. At around 3 am, an estimated 250 police, military police and workers hired by the company claiming to own the land blocked access to the community before dispersing the population with tear gas and threats of violence. At 6 am excavators moved in and levelled the village. Some of the families were not able to retrieve belongings from their homes before the demolition. Officials from Phnom Penh municipality were present during the destruction.

“The most urgent task now is for the government to immediately address the humanitarian needs of these people, who have lost their homes and face imminent food and water shortages,” said Brittis Edman, Cambodia researcher. “They will also need assistance for a long time to come.”

Cambodia is a state party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and has an obligation to protect the population against forced evictions. Saturday’s events show all too clearly how little respect Cambodian authorities have for these requirements.

The Phnom Penh municipality has provided less than 30 of the 152 families with shelter at a designated resettlement site at Cham Chao commune in Dangkor district, some 16 kilometres from the city centre. Most of the other structures at the site are still under construction and lack roofs. There is no clean water, no electricity, sewage or basic services. Earlier, most of the affected community rejected being resettled there because it was too far from Phnom Penh, where they work, mostly as street vendors.

Since the forced eviction, the Dey Kraham community has been told that the company, which has allegedly purchased the land, has withdrawn earlier offers of compensation, leaving families who have been living in uncertainty and insecurity for more than two years, now faced with rebuilding their lives with nothing.

Local authority representatives sold the land to the company, 7NG, in 2005 without the knowledge, participation or consultation with the affected community. Some 300 families were coerced into moving amid threats, harassment and intimidation, while 152 families continued to dispute the validity of the sale and refused to give up the land without compensation.

Just over a week before the forced eviction, the affected community told the authorities and the company that they were willing to move if they received adequate compensation for the land, where many of them have

lived, uncontested, for decades and to which they have strong claims under the 2001 Land Law. The company then increased the offer of compensation, but the two sides had not yet reached an agreement.

“It is an outrage that the Cambodian authorities went ahead with the forced eviction, when progress was being made towards a mutual settlement. Now hundreds of children, women and men are left homeless”, said Edman.

Background

Forced evictions are one of the most widespread human rights violations in Cambodia, and those affected are almost exclusively marginalised people living in poverty, in both urban and rural areas. In 2008, at least 27 forced evictions affecting over 20,000 people were reported in the media and by local organisations.

Hundreds of land activists are facing spurious charges, and dozens have been imprisoned, as the rich and powerful are increasingly abusing the criminal justice system to acquire land and evict those living there. At least nine community representatives from Dey Kraham have been charged for criminal offences as a result of their peaceful defence of their right to housing.

As a state party to the International Covenant on Economic, Social and Cultural Rights Cambodia is obliged to ensure, before any planned evictions, that all alternatives are explored in consultation with those affected by the eviction. Evictions may only occur in accordance with the law and in conformity with international standards, including genuine consultation with those affected; adequate notice and information on the proposed eviction; and provisions of legal remedies for those affected. Evictions may only occur if they do not render individuals homeless or vulnerable to the violation of other human rights.

In May 2009, the Committee Economic, Social and Cultural Rights will consider Cambodia’s first and considerably delayed report on its compliance with the treaty.