

URGENT ACTION

FORCIBLE EVICTION IMMINENT FOR 80 FAMILIES

The authorities in the Cambodian capital, Phnom Penh, are preparing to forcibly evict the families living in the area known as Group 78. Phnom Penh city officials are trying to force the families to accept compensation that they feel is grossly inadequate.

The Group 78 families had applied for an injunction to stop the forced eviction, which the Court of Appeal rejected on 13 July, dismissing the application. The Court instead ruled that the 20 April eviction notice was legal, and the government body mandated to rule on land ownership disputes, the Cadastral Commission, should hear the case. The families had lodged complaints with the Cadastral Commission in June 2006, but despite repeated reminders, it appears to have taken no action.

The Deputy Governor of Phnom Penh warned members of the community on 9 July, that if they did not accept any of the compensation packages on offer they would be forcibly evicted on 17 July. The Municipality offered house owners four options: US\$8,000; US\$5,000 plus a small plot of land; US\$1,500 plus a small plot of land and a small house at Trapeang Anchanh resettlement site; or an apartment at a different resettlement site that they had never seen. Trapeang Anchanh is some 20 km from where they now live and work, and basic services such as water, electricity, sanitation and sewerage are inadequate. The cost of transport to and from the site far exceeds their daily earnings. Around 20 families who are renting land in Group 78 have not been told what will happen to them.

There has been no genuine consultation with the community, who have been living under the threat of forced eviction for three years, or attempts to explore feasible alternatives to the proposed eviction, including proposals submitted by Group 78 residents themselves, who believe the compensation offers are grossly inadequate.

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

- urging the authorities to stop immediately any plans to forcibly evict the people living on Group 78;
- urging them to reconsider the plan to move the community to a resettlement site at Trapeang **Anchanh**, which has no adequate shelter, water, electricity, sanitation, sewerage or health care;
- asking them to hold genuine consultations, as a matter of **urgency**, on adequate alternative housing with security of tenure and fair and just compensation;
- urging them to uphold Cambodia's obligations under international human rights treaties prohibiting forced eviction and related human rights violations.

PLEASE SEND APPEALS BEFORE 24 AUGUST 2009 TO:

Title
 Kep Chuktema
 Governor
 Phnom Penh Municipality
 # 69 Blvd. Preah Monivong
 Phnom Penh, Cambodia
 Fax: +855 23 526101
 Email: phnompenh@phnompenh.gov.kh
 Salutation: Dear Governor

Title
 Sar Kheng
 Deputy Prime Minister and Minister of
 Interior
 # 75 Norodom Blvd.
 Khan Chamkarmon
 Phnom Penh, Cambodia
 Fax: +855 23 212708
 Email: moi@interior.gov.kh
 Salutation: Dear Minister

And copies to diplomatic
 representatives of Cambodia accredited
 to your country.

Please check with your section office if sending appeals after the above date.

This is the second update of UA: 110/09 (ASA 23/007/2009).



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ADDITIONAL INFORMATION

Forced evictions are carried out without adequate notice and consultation with those affected, without legal safeguards and without assurances of adequate alternative accommodation. Under international law, including the International Covenant on Economic, Social and Cultural rights (ICESCR), Cambodia is prohibited from carrying out forced evictions, and must protect people from forced evictions.

The Group 78 families now at risk of eviction started moving into the area on the riverfront in 1983. Since then the value of the land has increased enormously. The 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.

The Phnom Penh authorities have given different reasons for the eviction of the families, ranging from beautification of the city to claims that the community are illegal squatters.

In 2007 more than 20 families left Group 78 for the resettlement site at Andong, after threats and harassment from the 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 near Group 78. Their homes were destroyed by an estimated 250 members of the security forces, and demolition workers, and many people lost their possessions. The vast majority were made homeless, and had no option but to move to a site far from Phnom Penh, without basic services and with shelters still under construction. The Phnom Penh authorities have told the Group 78 families that if they do not accept one of the compensation packages, they will be seeing a resolution similar to that of Dey Kraham.

Further information on UA: 110/09 Index: ASA 23/014/2009, Issue Date: 13 July 2009

