



CAMBODIA: URBAN DEVELOPMENT OR RELOCATING SLUMS?

HOUSING IS A HUMAN RIGHT

AMNESTY
INTERNATIONAL



IN THE NAME OF DEVELOPMENT, THE CAMBODIAN AUTHORITIES HAVE FORCIBLY UPROOTED THOUSANDS OF PEOPLE FROM THEIR HOMES IN THE CAPITAL PHNOM PENH AND RESETTLED THEM OUTSIDE THE CITY IN FAR WORSE CONDITIONS AND HIDDEN FROM THE PUBLIC EYE. MOST OF THE FAMILIES HAD LIVED IN RUDIMENTARY HOUSING IN INFORMAL COMMUNITIES, OFTEN WITH TEMPORARY INFRASTRUCTURE, SANITATION AND WATER SUPPLIES. NOW THEY LIVE IN EVEN MORE DEPRIVED SLUMS, WITH EVEN LESS ACCESS TO BASIC SERVICES AND JOBS.



FROM THEIR HOMES IN SAMBOK CHAB...

In mid-2006, the authorities cordoned off Sambok Chab, an informal settlement established in the early 1990s in central Phnom Penh on the Bassac River bank. Hundreds of security forces and demolition workers then forcibly evicted the 1,500 families living there.

Before the eviction, the Municipal Governor of Phnom Penh, Kep Chuktema, told journalists that Sambok Chab “pollute[s] our city’s beauty” and expressed no concern about the repercussions of forcibly uprooting thousands of people from their homes.

The area was to be redeveloped by a real estate company. The authorities claimed that the company had obtained legal title to the land and needed to use it. At no time before the evictions did the company or the authorities make this alleged legal title public or disclose it to the affected residents. The ownership claim was not validated by a court, as required by

Cambodian law. The redevelopment plan was also not made public. Almost three years later, the land remains largely unused.

Some people who owned houses in Sambok Chab were given alternative homes at a site called Trapeang Anhchanh, on the outskirts of Phnom Penh. The vast majority of Sambok Chab residents, however, were made homeless, including those who had rented housing.

On 6 June 2006 excavators and bulldozers flattened Sambok Chab. The authorities and the real estate company provided trucks to take the distressed victims to New Andong, some 20 kilometres away.

... TO AN EMPTY FIELD CALLED NEW ANDONG

When the evictees arrived in New Andong, they found a sodden field with no shelters, no sewage system, no safe water supply, no electricity, no access road, no schools, no clinics and no markets.

A forced eviction is the removal of people against their will from the homes or land they occupy, when that removal takes place without legal protections and other safeguards. Not every eviction that is carried out by force constitutes a forced eviction – if appropriate safeguards are followed, a lawful eviction that involves the use of force does not violate the prohibition on forced evictions.

Using debris from the eviction site and tarpaulins provided by civil society organizations, the families erected makeshift shelters on the flood-prone field.

New Andong is far from the city where the families had made their living, many as street vendors, scavengers and day labourers. As a result, the eviction effectively cost most of the families their livelihood, as the journey to Phnom Penh, in the absence of a public transport system, costs more than most people would expect to earn in a day.



“The situation at that time was out of control so I just followed what they told me to do. They told me they would find a job for me and give me land. They would build factories, hospitals, schools and more. But when I arrived, everything was empty. The land was flooded, and I felt hopeless.”

An evicted young mother, speaking to Amnesty International

Left: New Andong, June 2006

Cover: Tenants in the Sambok Chap community protest against the decision to evict them and make them homeless, June 2006

Despite the difficulties in finding work, hundreds of families have had no choice but to remain at New Andong. Some survive by working as hired labourers for farmers and on construction sites in the vicinity. Others send some family members to work and live in the city, while the rest stay in New Andong to look after the children.

Non-governmental organizations supporting people in New Andong village have reported widespread health problems, especially among children. The incidence of skin disease, diarrhoea, dengue fever and malnutrition is high. Within the first year, at least three children died of dengue and one of malnutrition, according to a doctor who regularly visits the community.

New Andong remains a severely deprived area nearly three years later.

STILL AT RISK OF EVICTION

New Andong residents have still not received any official documentation

guaranteeing them security of tenure, something they say they were promised before they were moved there. With the price of land in and around Phnom Penh continuing to rise, they fear that without such documentation, they may be forcibly uprooted once again.

Some people have had no choice but to leave New Andong because of lack of food, work or health care. Among them are those living with HIV. Their need for regular access to medical facilities makes New Andong an impossible option.

Street vendors whose suppliers moved from New Andong and who found no alternative work have also had to leave the resettlement site to keep their jobs. Many of these families now live huddled under plastic sheets on the streets of Phnom Penh, near their old neighbourhood. They too risk eviction.

Many thousands of other Cambodian families have suffered similar experiences of forced eviction without access to due

process or redress, including fair and just compensation and restitution. Among them are communities that lived in Phnom Penh on the Preah Monivong hospital grounds; in Street 202; in Chong Chrouy; and, most recently in January 2009, Dey Kraham.

As a result of abject poverty, some of these families have been unable to build proper housing at the resettlement sites and live in makeshift structures. In early 2008, local authorities told some of these families that they had not used the replacement land properly and would therefore be evicted.

For other urban poor communities in Phnom Penh facing eviction, such as Boeung Kak, Group 78 and Rik Rikreay, the alternatives offered by the authorities are unacceptable: the compensation is insufficient for families to obtain comparable alternative housing, and conditions at the relocation sites on offer are far from adequate. Infrastructure is poor; basic amenities, including clean water, are lacking; access to work



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ACTION NEEDED

Amnesty International is calling on the Cambodian authorities to:

- End all forced evictions.
- Ensure that all past victims of forced evictions receive an effective remedy, including access to justice and adequate compensation.
- Ensure that people living in deprived areas and informal settlements have equal access to public services and can participate in developing and implementing solutions to ensure adequate housing.
- Ensure that all people who may be affected by land development are accorded the legal protections to which they are entitled under international standards, including adequate notice, consultation, due process and assurance of adequate alternative accommodation.

opportunities is extremely limited; and no formal security of tenure is provided for those agreeing to move.

Above: Over 20,000 people around Phnom Penh's Boeung Kak lake are facing eviction because of a planned development project.

DENIED A VOICE

The 1,500 families in Sambok Chab, as well as the many thousands of other families elsewhere who have been forcibly evicted or face such a threat, are excluded from the processes and decisions that impact on their lives. No one has meaningfully consulted them about possible measures to upgrade their communities or about their needs if resettlement is required.

As a result, these communities are further marginalized, leading to greater deprivation.

With land grabbing and commercial development projects threatening several informal settlements in Cambodia, it is vital that the voice of the people who live in these communities is heard.

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BACKGROUND

The number of land disputes, land confiscations and evictions, including forced evictions, reported in Cambodia has steadily risen in recent years. Victims are almost exclusively marginalized families and individuals living in poverty.

As a state party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and other international human rights treaties that prohibit forced eviction and related human rights violations, Cambodia has a duty to respect, protect and fulfil the human rights provided for in these treaties, including the right to an adequate standard of living, and specifically the right to adequate housing (Article 11 of the ICESCR). As part of the right to housing, Cambodia is obliged not only to stop forced

evictions but also to protect people from forced evictions.

In 2008 alone, Amnesty International received reports of 27 forced evictions, affecting an estimated 23,000 people. A further 22 evictions were recorded, but scant details made it impossible to distinguish whether or not they were conducted properly. Many forced evictions in rural areas go unreported.

Amnesty International, together with a number of Cambodian civil society groups, estimated in early 2008 that at least 150,000 people are facing forced eviction in Cambodia, over a third of them in Phnom Penh.

The authorities have denied that any forced evictions have taken place.

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Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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