



CENTRE ON
HOUSING RIGHTS
AND EVICTIONS



Working Together For Positive Change

Annex

**Land and Housing Issues
Additional Information and Supplementary Questions**

November 2008

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I. Introduction

This document is prepared as an Annex on Land and Housing Issues. It is intended to assist the United Nations Committee on Economic, Social and Cultural Rights (CESCR Committee) in preparing questions for the Government of Cambodia during Pre-Sessional Working Group meetings in the week of November 24, 2008. A number of organisations were involved in the preparation of this Annex, five of which are listed at the end of this document.

II. Forced Evictions

Forced evictions have been recognized by the UN Commission on Human Rights as a gross violation of human rights, in particular the right to adequate housing. It is estimated that more than 150,000 Cambodians live under threat of forced eviction, including approximately 70,000 in Phnom Penh.

Cambodia currently has no comprehensive regulation of the appropriation of land for development projects, or for the regulation of evictions in accordance with human rights principles, including the provision of fair compensation to the victims. Those standards and laws that provide protections for communities, such as those in the 2001 Land Law, are frequently ignored by authorities and courts alike. Although Prime Minister Hun Sen has called for a crackdown on land speculation, no one has yet been charged or disciplined in this regard.

In May 2007, the Ministry of Economics and Finance (MEF) and the Asian Development Bank (ADB) introduced the draft *Sub-Decree on Land and Property Acquisition and Addressing the Socio-Economic Impacts by the State's Development Projects* (hereinafter: "draft Land and Property Acquisition sub-decree"). Civil society organisations have voiced multiple concerns regarding the substance of the draft Land and Property Acquisition sub-decree. Because the sub-decree will become the definitive legal framework for governmental property expropriation in the name of the public interest, the sub-decree represents an opportunity to ameliorate the ongoing land speculation crisis, if drafted in an effective and human rights compliant fashion. Conversely, failure to promulgate a sub-decree that meets international standards will burden Cambodia for the foreseeable future with inadequate land security, corrupt practices and land speculation – with the impact particularly severe upon the economically marginalized. The legal analysis conducted by a coalition of NGOs indicates that the current second draft of the Land and Property Acquisition sub-decree, as with the previous draft, fails to ensure safeguards sufficient to ensure that Cambodia's human rights obligations are met, particularly those related to the requirement to halt, prevent and remedy forced evictions.

Spiralling land prices have resulted in ever-increasing demand for land in prime urban and rural areas. As a consequence, land speculation by the powerful and wealthy elite is rampant, to the severe detriment of local communities. Rather than protecting communities at risk of eviction or other forms of displacement, the Government has frequently intervened in private disputes, evicting communities in the absence of evidence that the land is actually owned by the claimant. These evictions are often carried out violently, and frequently with the use of

unauthorised armed forces.

Current trends are not encouraging, with several evictions implemented and threatened since 2006 (see case studies below). Evictees have been placed in unimproved rice fields in peri-urban areas, with no access to jobs, potable water or sanitation, inadequate food and health services, and little or no educational facilities.

These trends are particularly troubling given that in previous years, government institutions such as the Municipality of Phnom Penh were involved in resettlement practices that were open, transparent and fair. For example, in 1998 the Municipality bought land at Veng Sreng for 129 families living near the Chinese Embassy and, with help from the UNCHS and various NGOs, made a very successful community that today has 90% of its original residents still living there. This indicates that it *is* possible for the Government to carry out resettlement in an ordered and humane way. What has followed since 1998 seems to be a series of increasingly backward steps.

A number of INGOs, including Amnesty International, COHRE, and FIDH, recently called for a moratorium on forced evictions in Cambodia until the necessary legal and institutional mechanisms are in place to ensure that evictions are carried out in accordance with international human rights standards.

A Moratorium on Relocation and Evictions was also recommended in the final draft National Housing Policy, which was developed through a consultative process by the Ministry of Land Management, Urban Planning and Construction in 2003. The draft policy recommended various options for ensuring medium and long-term tenure security and improving housing conditions for urban poor residents dwelling in different categories of informal settlements. The moratorium on evictions was recommended to provide short-term security of tenure to the residents of all informal settlements, so that each could be classified according to the law and its suitability for upgrading, land-sharing and long-term tenure security options. At the time, the draft policy noted that the Municipality of Phnom Penh had indicated it had no plans to remove any existing settlements. However, the draft National Housing Policy has not been acted upon for the last five years, purportedly awaiting the completion of three pilot projects which have only just begun. The many positive recommendations and policy tools for protecting and fulfilling the right to adequate housing in Cambodia have not been adopted even on an interim basis, and the result has been a severe deterioration in the tenure security situation of the urban poor and the forced eviction of tens of thousands of city-dwellers.

The following are some examples of recent forced evictions.

Case 1: Sambok Chap community, Phnom Penh

Sambok Chap was a settlement beside the Bassac River close to the new National Assembly building in central Phnom Penh. Following suspicious fires in 2001 and 2002, over 3,000 families were moved from the area to relocation sites outside the city, mainly to Anlong Kgnan about 20 kilometres away. Following this initial “unplanned relocation”, families from other areas (and from Anlong Kgnan itself) were allowed to drift back to the Sambok Chap area and resettle. However, in 2006 a private company called Sour Srun made a claim to the Sambok Chap land (for which neither Sour Srun nor the Municipality ever produced any evidence), and on May 3, 2006, forced evictions of the more than 1,500 families living there began. Authorities carrying out the evictions used security forces armed with guns and

electric batons. Requests by the community and NGOs to allow negotiations and discussion about a resettlement plan were repeatedly rejected by the Municipality. On May 31, 2006, a disturbance broke out after a pregnant woman was injured by security forces and newly constructed fences erected by Sour Srun were damaged. On June 6, 2006 more than 600 municipal police and gendarmerie forces were called in to ensure that the final phase of the eviction – involving some 500 families who had been forced to live in huddled squalor at the front end of the site for more than a month – was carried out without incident. Road blocks were used to cordon off the area and NGOs and journalists were denied access. Up to eight arrests were made. Four persons were charged and later released.

This time the families were relocated to a rice field in Andoung village, again 20 kilometres from their previous homes. The new relocation site was an empty field with no sanitation facilities or other infrastructure, no access to clean water, no access to electricity, no employment opportunities, and no houses. Even though people were evicted and dumped there more than two years ago, most people have yet to be provided with any land, and to date little has been done to improve the condition of the relocation site. As of 2008, the situation remains the same major humanitarian emergency described by international and national experts back in 2006¹. The people's economic, social and cultural rights remain seriously violated. They are forced to use dirty local pond water and impure water from wells they themselves have built. With a lack of toilets, most people continue to defecate in the perimeter of the site and in plastic bags. Poor drainage means that the site is regularly flooded, contributing to severe health risks for the residents. Diarrhoea is prevalent, and many children have skin rashes and diseases. Most people are afraid to leave the site as they have been promised some kind of certification from authorities – yet in practice this is not realised or the certificates issued are deficient. The evictees have no security of tenure at the relocation site, and rising land prices in the area have raised concerns that they will be evicted again.



Andoung relocation site, June 8, 2008

Case 2: Mittapheap 4 village, Sihanoukville

The 2007 eviction of Mittapheap 4 village, known as “Spean Ches”, in Sihanoukville Municipality further illustrates the human rights abuses that are prevalent before, during and after many forced evictions in Cambodia today. Similar to other forced evictions, the Mittapheap 4 eviction was the result of a pervasive lack of tenure security for the majority of Cambodians, combined with particularly brutal actions by the Government in forcing persons and communities violently from their housing. It highlighted at least four key failures of the Government to respect the right to adequate housing and the prohibition on forced evictions:

- Excessive use of force and illegal use of the military to carry out evictions.

¹ Miloon Kothari & Hina Jilani. *UN Experts Condemn Lack of Respect for Human Rights Shown in Eviction of Bassac Residents in Cambodian Capital*, Joint Press Release, June 29, 2006.

- Abuse of the criminal justice system to incarcerate community leaders and activists for defending their housing, land and property rights in an attempt to weaken community solidarity and resistance.
- Rendering evictees homeless and vulnerable to other violations of economic, social and cultural rights.
- Failure to provide due remedy to persons evicted from housing, in contravention of domestic and international law.

During the eviction, more than 100 families living peacefully in Mittapheap 4 village were illegally and violently evicted from their homes. Many of the families had been living in the village since the 1980s and 1990s, and accordingly had possession rights to the land under the 2001 Land Law. The basis of the eviction was an unsubstantiated claim of ownership of the land by Peng Ravy, the wife of a senior advisor to a high-ranking Government official.

Mrs. Ravy never presented any title deeds proving her ownership, yet her complaint led district authorities to issue an eviction notice on October 26, 2006. On January 19, 2007, another eviction order was issued to the community, signed this time by Say Hak, the Governor of Sihanoukville Municipality. The eviction notice ordered the villagers to vacate the area within one week. It was issued without any oversight by the court or consultation with the community.

The Senate Commission on Human Rights conducted an investigation into the case, after receiving a complaint from the villagers, and concluded that the land dispute is a civil matter and therefore to be settled by the courts. In spite of the Commission's findings, the Governor appointed a Joint Task Force to carry out the eviction.

On April 20, 2007, 50 members of the Royal Cambodian Armed Forces, 50 members of the Royal Gendarmerie and 50 policemen armed with AK-47s, electric batons, wooden sticks and shields descended upon Mittapheap 4. Villagers and human rights monitors who observed the events stated that the Government forces arrived with three police trucks, an excavator and two water trucks filled with a mixture of water and gasoline. They fired their guns at the ground and above the heads of the villagers. People attempted to gather their belongings, but villagers claim that the police and soldiers would only let them take their infant children. People trying to take their property were beaten with sticks and electric batons. Five women were injured and 13 men were badly hurt, many of them



Mittapheap 4 Forced Eviction, April 20, 2007



knocked unconscious. A 77 year old man was hospitalised after receiving an electric baton shock to his head.

The 13 wounded men were arrested and taken into custody. The police and military personnel confiscated valuables from the villagers, including 16 motorbikes. They then proceeded to burn down their homes, along with their clothes and those belongings not looted by the authorities. Villagers state that 89 houses were burned to the ground and the remaining homes demolished.

The trial for the detained villagers was held on July 3-4, 2007. 12 men and one minor were charged with battery with injury and damaging property. Nine men were convicted and handed light sentences, while four (including the minor) were acquitted. The Prosecutor appealed this verdict and all 13 detainees were imprisoned for more than one year before the Appeal Court upheld the Municipal Court sentence and released the men. No authorities have yet been investigated or prosecuted for the abuses they committed during the forced eviction and there has been no investigation into possible violations of law arising from the issuance of the eviction order that precipitated the violence.

The Mittapheap 4 community is now facing their second rainy season living under tattered tarpaulins supplied by NGOs, on side of the road in front of where their homes once stood. Displaced from their homes, the community has lost their primary source of livelihood. While nearly all the community children attended public school prior to the eviction, they are no longer enrolled because their required legal documents were burned during the eviction. Children's health and nutrition, which declined rapidly in the wake of the eviction, has only gradually improved as a result of regular children's health assistance provided by a local NGO. A further risk is posed to the safety of the children by the large trucks passing only metres away from where the homeless families are forced to live.

As a state party to the International Covenant on Economic, Social and Cultural Rights, the Government of Cambodia is legally obliged to respect the right to adequate housing, guaranteed in Article 11 (1) of the Covenant. This includes the duty to ensure "*security of tenure, which guarantees legal protection against forced eviction, harassment and other threats,*" as clarified in General Comments 4 and 7 by the Committee on ESCR. It is furthermore obligated to protect everyone within its jurisdiction from forced evictions undertaken by any persons, including State and Municipal authorities and/or third parties, especially when such evictions render affected persons homeless. No legal processes were followed during the Mittapheap 4 eviction, and the victims were afforded no legal recourse to demonstrate their legal claims to the land and challenge this unlawful process.

In addition to the illegality of the eviction itself, the excessive force used by the authorities during the Mittapheap 4 eviction was in clear violation of the 2001 Land Law. In accordance with international human rights standards, the law prohibits the use of violence to execute an eviction and mandates criminal sanctions where violence is used. Article 253 stipulates that "*[a]ny person who uses violence against a possessor in good faith of an immovable property; whether or not his title has been established or it is disputed, shall be fined from 1,500,000 Riel to 25,000,000 Riel and/or imprisoned from six (6) months to two (2) years...*" In addition, "*[i]f the violence was ordered by a person other than the perpetrator, who did not personally participate in the commission of such violence, he or she shall be subject to the same penalties as the perpetrators of the violence.*" The perpetrators and those who

ordered the violent eviction of the Mittapheap 4 village on April 20, 2007, are criminally liable under these provisions of the Land Law.

Case 3: Boeung Kak Lake, Phnom Penh

Boeung Kak is a large lake in north-central Phnom Penh. The 2001 Land Law states that lakes are State Public Property because they have a “natural origin” and serve a public purpose (Article 15). In this case, the lake is of crucial importance as it is home to thousands of people; it is used by many families to grow water vegetables and to harvest snails; and it further acts as a huge drainage system for the entire city.

In February 2007, the Municipality signed an agreement to lease Boueng Kak Lake and the surrounding land for 99 years to a private company for \$79 million dollars. This lease contract is widely viewed as illegal. The company plans to fill in the lake and develop a new “satellite city” with private villas, stores and office buildings in the area. No precise development plan has ever been released, and no public meetings have been convened to discuss this enormous development project in the heart of Phnom Penh.

It is not clear if the land awarded to the company was ever registered before reclassification. No evidence has been presented to show how the lake has lost its public interest status. The Boueng Kak case is a clear example of the improper way the Government manages State Land. Residents of the area were initially told that they had no right to stay on the land because they were living on State Public property. While this may be true for people living directly on the lake in boats or floating houses, it is false for the majority of residents living on the land surrounding the lake. Moreover, under the Land Law the lake itself clearly *is* State Public Property, which cannot be leased for more than 15 years or destroyed. However, on August 7, 2008, a sub-decree was issued which purported to transfer 133 hectares, including the lake and surrounding area, from State Public to State *Private* Property. This was an improper and most likely illegal effort to legitimise the earlier contract to lease the land.

On 26 August, 2008, the filling of Boueng Kak Lake began. This development could lead to the forced eviction of more than 4,200 families – the largest single eviction from Phnom Penh since the Khmer Rouge regime. The development is being conducted under a contract which is clearly illegal under Cambodian law. The eviction and relocation process has been developed and conducted without consultation with local communities, in contravention of relevant international human rights law norms. Affected families are presented with two options – a cash payment of USD 8,500, or USD 500 and a house in a distant relocation site. These options are far below market value and will not provide the persons concerned with adequate alternative housing or future tenure security. Most of the families concerned have lived in the area for many years and have legitimate possession rights under the Land Law.

Proposed questions

Concerning general policy and law provisions in the context of land and housing rights:

1. How many evictions have occurred since 1992? Why? What land use is planned for eviction sites now? Can the Government provide data on any forced evictions which have been stopped and/or sanctioned?
2. Can the Government explain why it has failed in numerous eviction cases to insist that companies or individuals produce valid documentation of land ownership to support their claims to the land? Can it also explain why it consistently fails to allow any form of open dialogue and discussion with communities and NGO representatives?
3. In cases where displacement from housing is absolutely unavoidable, how does the Government ensure that displaced persons and/or communities are adequately re-housed?
4. What plans, strategies, mechanisms and/or resources does the Government intend to deploy to improve resettlement sites, where no viable alternative to displacement exists?
5. What are the sources of budget used by the Government for compensation for persons forcibly or otherwise displaced? Why are these amounts not divulged and discussed with those affected by displacement? What principles and methodologies are used by the Government to estimate fair and just compensation in the context of land and house value, loss of property, loss of access to employment and basic services, and other negative impacts on livelihoods?
6. Can the Government commit to a moratorium on all forced evictions until there are clear and fair procedures in place on resettlement and housing policy?
7. When will the Ministry of Economics and Finance release the third draft of the *Sub-Decree on Property Acquisition and Addressing the Socio-Economic Impacts of Development Projects* to concerned NGOs for comment? Why is this draft legal framework on involuntary resettlement, which confers numerous important rights and Government obligations, not being promulgated as a law by the legislative branch of Government, but rather by executive decree? How will this legal framework ensure the prohibition of illegal forced evictions, as required by Cambodia's ratification of the ICESCR? In particular, what types of mechanisms will be available for affected people to appeal projects that result in property acquisition and evictions? How will the Government ensure that the proposed grievance mechanisms are effective, unlike other institutions, such as the Cadastral Commission and the National Authority for Land Dispute Resolution, which have failed to provide effective remedies for victims of land speculation? How will this legal framework ensure that feasible alternatives are exhausted prior to the determination of public interest and approval of projects that require evictions?

8. Can the Government comment on the *Royal Decree on Principles and Transitional Provisions on Transferring Public Properties of the State and Public Legal Entities, No 321, 3 August 2006, NS/RKT/0806/339*, which allows for land to be reclassified as State Private Property if it no longer meets the public interest test? Does this decree override the process set out in the *Sub-Decree on State Land Management, No. 118, 7/10/05, No 118/HNK/BK*, which provided a more transparent process for the reclassification of public land, including publicly posting information about the proposed reclassification and giving groups the opportunity to comment on the proposals?
9. The Municipality of Phnom Penh has prepared a City “masterplan” and the Bureau of Urban Affairs has produced a White Paper with more detailed information on this plan, yet this has involved no public consultation and has been circulated very narrowly. Why has this been such a closed process?
10. When will the Government adopt a comprehensive National Housing Policy to ensure the progress realization of the right to adequate housing? How does the Government measure the impact of its de-facto housing policies? What indicators are used to determine its success and/or difficulties?

Concerning the forced evictions at Sambok Chap:

11. When does the Government intend to provide basic hygiene services; adequate accommodation, health and education facilities; and security of tenure to the more than 1,500 families forcibly evicted in 2006 from Sambok Chap?
12. When does the Government plan to reveal the underlying evidence by which the Sour Srun Company claims the land at Sambok Chap?

Concerning the forced evictions at Mittapheap 4:

13. When will the Government order an impartial and independent inquiry into the violent eviction of Mittapheap 4 village, and make the findings public?
14. When will the Royal Government of Cambodia ensure that all State officials, including police and gendarmerie personnel who are suspected of criminal responsibility for the violence that occurred during the Mittapheap 4 eviction, including the excessive use of force, torture or other cruel, inhumane or degrading treatment, be prosecuted?
15. How will the Royal Government of Cambodia provide restitution for the victims’ lost land, property and homes, and ensure that they can rebuild their lives and restore their livelihoods, with security of tenure, so that they are not forcibly displaced once again?

Concerning the forced evictions at Boueng Kak Lake:

16. Boueng Kak Lake, a public property worth in excess of 2 billion US dollars, has been leased to Shukaku Inc., a private company, for 99 years. Further to Article

- 16 of the 2001 Land Law, can the Government explain why it has allowed the Municipality of Phnom Penh to lease a lake that is designated State Public Property to a private company for longer than 15 years, and to allow the company to fill in the lake so that it can no longer be enjoyed as public property?
17. Can the Government explain why the eviction of up to 20,000 people from Boueng Kak is considered an exceptional circumstance? What pre-consultations were carried out and what alternatives were explored and rejected to justify this massive forced eviction?
 18. What is being done in response to widespread reports of intimidation of Boueng Kak residents into accepting compensation way below market level and overall lack of transparency? What is the Government doing to consult with families in an open, transparent and non-coerced manner in order to ensure that they receive adequate compensation and/or are adequately resettled in an appropriate location and provided with access to alternative livelihoods?
 19. Further to Articles 9, 10, 12, and 13 of the *Sub-Decree on Rules and Procedures on Reclassification of State Public Properties and Public Entities, No. 129 ANKr.BK. 27/11/06*, what valuation process and bidding or negotiation process did the Government follow to ensure that the State Private Property around Boueng Kak Lake was leased to Shukaku Inc. for the best price?
 20. *Further to Articles 27 and 28 of the Sub-Decree on Environmental Impact Assessment Process No 71ANRK.Bk 11/8/99*, what is the Government doing to ensure that Shukaku Inc. implements an Environmental Management Plan that ensures there is no danger to people, land or the environment around Boueng Kak lake as a result of their development?
 21. What is the Government doing to ensure that people living in or around Boueng Kak Lake are not forcibly evicted or pressured to move by either Government officials or employees of Shukaku Inc. to make way for the development of the lake?

III. Land Titling

The Government's land titling project has consistently failed to provide titles to those most in need of land tenure security. The failure to provide legal title has been particularly egregious in urban areas, where the need for land tenure security is great due to the high desirability of urban land.

The Land Management and Administration Project (LMAP) is a cooperative undertaking of the Cambodian Government, the World Bank, the German state development agency GTZ, and others. Begun in 2002, the Project currently runs through 2009, and may be extended afterwards. The Project has five components: land policy framework development; institutional capacity building in the Ministry of Land Management, Urban Planning and Construction; land titling and development of a land registration system; strengthening land

dispute resolution mechanisms; and creation of a comprehensive land management system, through land mapping and classification.²

According to the Government's agreement with the World Bank and other donors, the Land Management and Administration Project (LMAP) is supposed to provide some 198,000 titles in the Phnom Penh urban area, with 18,000 titles being issued in 2007 alone.³ However, according to the World Bank, only 24,760 Phnom Penh land titles had been distributed since the project started in 2002, and only 54 in the first half of 2007.⁴

The World Bank itself identified this issue as a critical problem in implementation of the LMAP project, noting that "progress with systematic land titling in major urban areas is especially slow," and that "an ongoing feature" of the LMAP project is that land titling productivity in Phnom Penh is the lowest of any province.⁵

Proposed Questions

1. What does the Government plan to do to meet targets for titling in urban areas?
2. What specifically will the Government do to identify and provide titles to those communities – both urban and rural – whose land is threatened by development pressure and have the greatest need of tenure security?

IV. Possession Rights

Possession rights are a key element of the 2001 Land Law and, in the absence of widespread titling, provide land tenure security to the majority of people in Cambodia. However, the Government has repeatedly refused to grant title to persons and/or communities with valid possession rights, and has repeatedly refused to allow any clear means by which to determine the validity of possession rights, thus effectively rendering these rights meaningless.

Chapter 4 of the Land Law grants possession rights to anyone who can demonstrate having peacefully possessed State Private Property for at least five years, and grants such persons the right to request a definitive title of ownership (Article 30). To convert possession rights to ownership, the possession must be unambiguous, non-violent, notorious to the public, continuous and in good faith (Article 38). For those who satisfy these conditions, the possession constitutes an "in rem" right over the property in question, even while waiting to be granted full ownership (Article 39).

The effect of these provisions is to provide tenure security to the large number of people living on State Private Property. After decades of upheaval all land records were destroyed and the majority of the population informally resettled on vacant and available land, overwhelmingly consisting of State Private Property.

² LMAP Project Appraisal Document, p. 9.

³ LMAP Project Appraisal Document, Attachment III.

⁴ Aide Memoire, LMAP Project Review, May 30-June 8, 2007, p. 3; Aide Memoire Annex 3, p. 4.

⁵ Aide Memoire, LMAP Project Review, May 30-June 8, 2007, pp. 3-4.

The procedures by which those with possession rights may apply for land title are set forth in the 2002 *Sub-Decree on Sporadic Land Registration*. This sub-decree allows any person claiming possession rights to file a petition to the local Government office requesting issuance of a land title. The sub-decree further describes a process by which claims are evaluated, adjudicated, and information shared with the applicant. By operation of the Land Law and this sub-decree, the granting of a land title is clearly intended to be a simple administrative process for those who have valid possession rights.

However, there is repeated evidence of the Government denying land titles to those with valid possession rights. Furthermore, in many instances, communities that have strong possession rights claims are unable to engage Government in any dialogue as to the legitimacy of those claims. Instead, communities seeking to advance their possession rights claims and obtain title are simply told they have no rights, with no underlying explanation, no process of examining evidence or presenting a basis for the denial of title, or any other mechanism that might allow for a standardized and transparent process. Under such circumstances, possession rights are reduced from the central importance they were afforded under the 2001 Land Law to little more than a legal fiction.

The Case of Group 78

Group 78 is a community originally consisting of 146 families located in the Tonle Bassac commune of Phnom Penh. The community began populating the area in 1983, and has since been recognized by the authorities through a variety of means, including house statistic receipts, land contracts, property transfer documents, family record books, identity cards etc. Based on this particularly strong case for possession rights, the community applied for land title in 2004, but local officials refused to even sign their applications and took no further action. Subsequently, the community filed a complaint to the Ministry of Land Management, Urban Planning and Construction which then issued a letter to the Municipal Department of Land Management, Urban Planning and Construction to investigate the situation. However, to date no investigation has occurred.

Instead, in June 2006, the community received the first of a series of eviction notices, and has since been the target of intimidation, threats, and secret dealings designed to internally divide and destroy the community. In separate eviction notices, municipal authorities have variously claimed that the community must be evicted because it is on State Public Property, because it is on State Private Property owned by a private company, or simply due to the need to beautify the city. None of these claims have ever been supported by any documentation or evidence, and the community has been completely unable to engage any entity of Government in a substantive discussion of its land rights. The community has offered proposals to the municipal authorities for settlement of the dispute and land sharing, but each of these has been dismissed without discussion.

At present, some 80 families continue to live in the community and continue their struggle to preserve their community and exert their land rights. Municipal authorities remain determined to evict the community and relocate it to one of the notorious resettlement sites outside the city. The appalling conditions in these resettlement sites was made clear in the context of the Sambok Chap eviction of 2006 (mentioned above), whose resettled residents at Andoung Village continue to live in abject squalor more than two years after resettlement.

Proposed Questions

1. Can the Government explain what specific safeguards it has in place to promote and defend the rights of poor communities that have strong possession rights claims, but whose viability is threatened by strong development pressures? How are these communities' land rights being protected? How are these communities being afforded an opportunity to participate in the country's development?
2. Can the Government describe specific instances in which it has adjudicated and resolved land titling claims based on possession rights in a lawful and transparent manner?
3. Can the Government provide complete disclosure of its financial arrangements with private developers involved in development projects in Phnom Penh?
4. How will the Government make the sporadic land registration system accessible to poor people who seek legal recognition of their ownership but are currently barred from doing so by exorbitant "informal fees" and/or discrimination?
5. Can the Government explain why it has failed to engage in meaningful dialogue with the Group 78 community; why it has failed to act on this community's land titling request; why it has failed to articulate a lucid position regarding the community's land rights; and why it has failed to take any action to protect the community from a variety of intimidating and harassing tactics by local authorities?

V. Land Dispute Resolution Mechanisms

The 2007 Annual Progress Report of the Government states that the Cadastral Commission has resolved 1,246 land dispute cases, involving 6,641 households, relating to a land area of 2,394 hectares⁶. Data available for 2008 indicates that the current number of cases resolved by the Cadastral Commission is 1,400, involving 7,500 households, relating to a land area of 2,500 hectares. There is no data available about the proportion of the total cases referred to the Cadastral Commission which the 1,246 (or 1,400) cases represent. Nor is there any information publicly available about the number of land dispute cases currently filed with the judicial system, or those which have been referred to the National Authority for Land Dispute Resolution, itself an extra-legal, politically-oriented entity.

Estimates from civil society organisations indicate that the number of disputes, households and land areas currently under dispute is significantly higher. Poor households in the dispute are primarily subsistence farmers, dependent on agricultural production. Therefore, as land under dispute is frequently left idle, long-standing land disputes result in social and financial

⁶ *National Strategic Development Plan 2006-2011: Annual Progress Report for 2006*, Royal Government of Cambodia, 2007.

crises for the households involved.⁷ In 2005, it was estimated that one in every fifteen households in Cambodia was involved in a land dispute.⁸

Data gathered by civil society groups across Cambodia shows that, of land disputes involving five households or more reported during the first six months of 2008:

- 47% were disputes between Economic Land Concessions and affected peoples, whereas 30% of disputes involved state land or large-scale development projects.
- 35% involved irrigated agricultural fields, 22% involved farmlands (non-irrigated) and 25% involved residential land.
- 68% of land disputes involved local authorities, and in 76% the defendant used a combination of corruption, power of deceit to acquire the land under dispute.
- Complainants in 65% of cases reported that the defendants had used threats, violence and intimidation towards them during the case's duration.⁹

NGOs have also recorded numerous cases of victims in land disputes being subjected to unwarranted criminal charges, and in some cases sentenced to lengthy prison terms, although the full extent of this harassment remains unknown.

Rural landlessness rose from 13 percent in 1997 to between 20 and 25 percent in 2007¹⁰. Despite near zero inequity in land holdings in 1989, inequality of land holding in Cambodia in 2008 is significantly higher than other Asian countries¹¹ and is concentrated within the elite. In 2006, 12% of owners (in a sample study) with holdings of greater than three hectares each owned a total of 72% of the land, whereas 67% of owners holding under 1 hectare collectively own less than 8% of all land.¹² On average, 98% of holdings under 0.5 hectares were used productively, whereas only 71% of holdings larger than 3 hectares were under cultivation. Amongst those owning more than 500 hectares each, 31% were described as businesspeople; 23% as high-ranking officials bearing the title "Excellency"; 23% were "Okhna" (a title conferred by the Government in recognition of financial contributions of US\$100,000 or more); 15% were military officers referred to as Generals; and 8% were members of the National Assembly.¹³

Furthermore, the National Authority for Land Dispute Resolution is itself a special case, having been created by *Royal Decree NS/RTK/0206/697* on February 26, 2006. This decree purports to assign jurisdiction to the new Authority for cases which are "beyond the

⁷ *Impact of High Food Prices in Cambodia*, Cambodian Development Resource Institute Survey Report sponsored by World Food Programme, NGO Forum on Cambodia, Oxfam America, UNDP, World Bank and FAO, 2008.

⁸ Oxfam GB, 2005.

⁹ *Basic Information on the Situation of Land Disputes in Cambodia January to June 2008*, NGO Forum on Cambodia Land Information Centre, July 2008.

¹⁰ *Cambodia, Halving Poverty by 2015? Poverty Assessment 2006*, p. 85, prepared for the Consultative Group Meeting by the World Bank, Phnom Penh, February 2006; and *Sharing Growth: Equity and Development in Cambodia*, World Bank Equity Report, 2007.

¹¹ *Sharing Growth: Equity and Development in Cambodia*, World Bank Equity Report, 2007.

¹² *Ibid.*

¹³ *Ibid.*

jurisdiction” of the Cadastral Commissions.¹⁴ However, according to Cambodian law, there are no cases beyond the jurisdiction of the Cadastral Commissions. Rather, for all land disputes on land that is not yet titled, according to law jurisdiction rests with the Cadastral Commissions (land that has been titled is subject to the jurisdiction of the Cambodian courts).¹⁵ *Royal Decree NS/RTK/0206/697*, subservient to a sub-decree according the priority of Cambodian legal instruments, has nonetheless been used to operationalise this Authority, thus stripping the Cadastral Commissions of their proper jurisdiction. The practical result is that any high profile or controversial case is referred to the NALDR, which is composed of and controlled by very senior officials, operates as a blatantly political entity, and has no established rules or procedures. Thus, through this non-legal mechanism, the RGC has created an extra-legal entity that destroys the legal jurisdiction properly granted to the Cadastral Commissions, and which confirms that all important land disputes are resolved according to political considerations, rather than legal standards. This is an enormous step backwards, both for establishing the rule of law, and for standardising the manner in which land disputes are resolved.

Proposed Questions

1. Can the Government provide information about steps it has taken to clarify the jurisdiction of the National Authority for Land Dispute Resolution in a manner consonant with the rule of law and principle of legal supremacy?
2. Can the Government publicly release information about the number of land dispute cases referred to the judicial system, the Cadastral Commission and the National Authority for Land Dispute Resolution, including the date on which they were received, the number of households involved, the land size in question, the steps taken by the responsible authority to resolve these cases and their current status?
3. How many people in Cambodia have been convicted in the past five years, or are currently facing criminal charges, in relation to land disputes?
4. Can the Government provide details of how it intends to reverse the trend of increase land holding amongst the elite, thereby promoting and protecting Articles 1(2) and 11(2) of the ICESCR?

VI. Economic Land Concessions

In recent years there has been a sharp increase in involuntary resettlement of lawful landowners and alienation from land and forest resources, resulting from private companies being allocated concessions for agro-industrial plantations.

¹⁴ Royal Decree NS/RTK/0206/697, Article 3.

¹⁵ Sub-decree 47, August 21, 2002, and *Prakas on the Guidelines and Procedures of the Cadastral Commission, #112 DNS/BrK*, Article 3.

80% of Cambodia's population live in rural areas and depend on access to land and natural resources for their livelihoods.¹⁶ In 2004, 91% of poor Cambodians were living in rural areas.¹⁷ Access to natural resources such as non-timber forest products are an essential source of household income and safety net; forest and fisheries products accounted for 25% of household incomes of the rural poor.¹⁸

Economic Land Concessions (ELCs) are a mechanism to grant up to 10,000 hectares of State Private Property to private individuals and companies to use for agricultural and industrial-agricultural exploitation. The grant is conditional on steps being taken to invest in agriculture, increase employment in rural areas and diversify local livelihood opportunities. This investment should be done within a framework of sustainable natural resource management and should generate state revenues or provincial or communal revenues through land use fees, taxation and other charges (Article 3 of the 2005 sub-decree on Economic Land Concessions). Compliance is monitored by the Government through the Ministry of Agriculture, Forestry and Fisheries (MAFF).

The public log-book of MAFF states that 51 ELC companies have been allocated concessions which are larger than 1,000 hectares each, totalling 811,851 hectares (12.5% of Cambodia's arable land) in 16 provinces.¹⁹ Additional information submitted by MAFF to the Government-Donor Coordination Committee Meeting in February 2008 stated that approximately 24,800 more hectares had been allocated to 16 companies for concessions less than 1,000 hectares across 7 provinces. On September 15, 2008, a sub-decree (#131) was adopted by the Government which revoked the rights of provincial authorities to grant ELCs under 1,000 hectares.

Provincial NGOs report the number of ELCs operational (those with contracts and those with no legal documentation) is much higher. In Mondulkiri province, for example, documents released by local government agencies state that 25 ELCs are pending or operational in a total of 144,800 hectares, despite only two ELCs being listed on the MAFF public log-book – one of which has been cancelled.²⁰

Reports have highlighted illegal operations of ELCs and non-compliance with requirements in the ELC sub-decree:

- Contract issued before the land has been registered and classified as State Private Property (according to the *Sub-Decree on State Land Management* and *Sub-Decree on Procedures for Establishing Cadastral Maps and Land Register*, and *Sub-Decree on Sporadic Registration*). Many ELC areas therefore include land eligible for communal land title, or are lawfully possessed based on possession rights prescribed (2001 Land Law).
- At least 9 ELCs are over the 10,000 hectare legal limit. The MAFF public log-book states that of these, five have been selected for review, however only two

¹⁶ *Sharing Growth: Equity and Development in Cambodia*, World Bank Equity Report, 2007.

¹⁷ *Cambodia, Halving Poverty by 2015? Poverty Assessment 2006*, p. 85, prepared for the Consultative Group Meeting by the World Bank, Phnom Penh, February 2006.

¹⁸ *Ibid.*

¹⁹ <http://www.maff.gov.kh/elc>, accessed on September 26, 2008.

²⁰ *Ibid.*

have been reduced. The two largest concessions (Pheapimex's 315,028 hectare concession in Pursat and Kampong Chhnang provinces, and the 100,852 hectare Greensea concession in Stung Treng province) have not yet been reviewed.

- In virtually all ELCs, neither local authorities nor people potentially affected are consulted before the proposed ELC is granted (in contravention of Articles 5 and 35 of the sub-decree on ELCs). Neither is the requirement of a 30 day display period of the proposed ELC complied with (contravening Article 23 of the sub-decree on State Land Management)
- In virtually all ELCs, there has been no Environmental and Social Impact Assessment undertaken before the ELC is granted, nor has there been any solutions agreed upon for resettlement issues (contravening Articles 4(c) and (d) of the sub-decree).
- Civil society groups have reported numerous violations by ELCs of Forestry Law Articles 11, 15, 16 and 37 that guarantee indigenous peoples traditional use of forests, and Land Law Articles 23-28 that protect and provide for the registration of immovable property of indigenous peoples.²¹

Numerous negative social, economic, cultural and environmental impacts on Cambodian citizens, including its indigenous peoples, have resulted from these ELCs. These include violations *inter alia* of the following ICESCR Articles:

- Article 1(1) – Denial of the right to self-determination: due to the lack of consultation or participation in the planning of when and how ELCs are granted; the restriction of movement placed on local communities such as blocking-off or digging up roads by ELC employees; and threats and intimidation by armed guards working for the ELC companies.
- Article 1(2) – Denial of the right to freely dispose of their natural wealth, or their own means of subsistence: due to lack of consultation, involuntary relocation, loss of agricultural and residential lands, loss of access to forest, fisheries and water resources; environmental pollution resulting from chemicals used by ELC companies; lack of recognition by the Government of possession rights (see Section III for further details) or lands as being eligible for indigenous communal land title.
- Article 6(1) – Denial of the right to work and the right to gain a living by work which is freely chosen: due to loss of agricultural lands and access to forest, fisheries and water resources; denial of freedom to choose one's livelihood and employment through this loss of land and resources and being forced to work as plantation labourers.

²¹ *Economic Land Concessions in Cambodia: a human rights perspective*, UNOHCHR, June 2007; *Fast-wood Plantations, Economic Concessions, and Local Livelihoods in Cambodia: Field Investigations in Koh Kong, Kampong Speu, Pursat, Mondulhiri, Prey Veng, and Svay Rieng Provinces*, Environmental Forum Core Team, NGO Forum on Cambodia, August 2005; *Legal analysis of ORYUNG Concession in Andoung Meas, Ratanakiri*, Community Legal Education Centre Legal Memo, June 2008; and *Memorandum on Economic Land Concession in Sre Ambel District, Koh Kong Province*, CLEC/PILAP Legal Memo.

- Article 11(1) – Denial of the right to an adequate standard of living, including adequate food, housing and the continuous improvement of living conditions: due to involuntary relocation, loss of agricultural and residential lands; access to forest, fisheries and water resources; loss of grazing areas for domestic animals; environmental pollution resulting from chemicals used by ELC companies.
- Article 15(1a) – Denial of the right to take part in cultural life: ELC operations have desecrated and destroyed the burial grounds and spirit forests of indigenous peoples in nine ELCs in six provinces.²²

Proposed questions

1. Can the Cambodian government release information about all contracted and pending ELCs, including the company names and details, and maps with GPS information?
2. Can the Cambodian government release to the public the results of performance reviews for all contracted ELCs (as described in Articles 25-27 of the sub-decree on ELCs)?
3. Can the Cambodian government release the results of the procedures undertaken to reduce oversized ELCs (as outlined in Article 59 of the Land Law, and Articles 38-42 of the sub-decree on ELCs)? Can it provide details of whether any of the ELCs which remain oversized (2½ years after the sub-decree on ELCs was adopted) have been granted an exemption to this size limit (Article 39 of the sub-decree) and if so, why such exemptions were granted?
4. Can the Cambodian government explain why it continues to prioritise the allocation of arable land to large-scale agro-industrial production, despite the fact that the Ministry of Land Management, Urban Planning and Construction reported in 2007 that only one ELC had so far been economically productive²³ and that its own studies prove that small-holdings are more efficient in terms of land use?²⁴
5. How will the Cambodian government undertake to review the current procedures for issuing and monitoring ELCs? How does it intend to review all operational ELCs (with those contracts and those pending)? How will it ensure that all those ELCs not currently in compliance with the legal framework are suspended and cancelled? How will it guarantee that all complaints from people affected by

²² *Economic Land Concessions in Cambodia: a human rights perspective*, UNOHCHR, June 2007.

²³ *Minutes of the Technical Working Group on Land Meeting*, Platform National Facilitator for the Technical Working Group on Land, March 20, 2007

²⁴ *Raising Rural Incomes in Cambodia: Beyond Sectoral Policy, Towards a Framework for Growth*, UNDP Funded Discussion Paper No. 4, in cooperation with Supreme National Economic Council and Harvard University John F. Kennedy School of Government, Second Cambodia Economic Forum, May 2007; and *Land and Human Development in Cambodia*, UNDP Funded Discussion Paper No. 5 in cooperation with Supreme National Economic Council and Harvard University John F. Kennedy School of Government, Second Cambodia Economic Forum, May 2007.

ELCs are comprehensively addressed by the responsible authorities and that adequate, fair and just resolutions are agreed upon?

6. What steps does the Government propose to take to ensure that national authorities only approve “pending” ELCs under 1,000 hectares which have submitted all required documentation prior to the adoption of sub-decree #131, thereby reducing the possibility of approving ELCs with backdated documentation?
7. Can the Cambodian government explain why the Council for the Development of Cambodia (CDC) agreed to give Kenertec, a South Korean Company, a 60,000 hectare ELC for biofuel production and processing on April 28, 2008, when this ELC size is six times the maximum legal limit?²⁵ Can the Cambodian government explain why it continues to endorse the Greensea ELC, owned by Okhna (tycoon) Mong Reththy, which is 100,852 hectares in size – more than ten times the maximum legal limit?²⁶

VII. Transparency

Despite the 2001 Land Law and a series of decrees on State land management, there is still no transparent or harmonized system for State land management. This has resulted in the large scale granting of illegal ELCs, and the improper reclassification of State Public Property for large scale development projects, leading to illegal forced evictions, land alienation and the loss of farmlands.

Article 17 of the Land Law states that procedures for the management of State land should be determined by sub-decree. Sub-decree #118 on State Land Management assigns the Government the responsibility of identifying and mapping all State lands. This should be a “coordinated and transparent process”.²⁷

“All State lands should be identified, mapped and entered into the State Land Map and Database, before being added to the Land Register.”²⁸ “During the process of State land classification, there should be an opportunity for public consultation and comment, and members of the public should have the right to view the Map and Database.”²⁹

At present, there is a total lack of public information concerning the Government’s State land mapping activities. This has led to communities being denied title, intimidated, evicted and persuaded to sell their land because they are “living on State land”. This is often impossible to disprove as the Government denies the public any access whatsoever to the State Land Map and Database.

²⁵ http://www.kenertec.co.kr/english/relations/whatsnew_read.asp?page=2&num=12

²⁶ <http://www.phnompenhpost.com/index.php/2008092321789/Business/Pilot-jatropha-project-successful-company.html>

²⁷ Sub-decree #118 on State Land Management, Article 6.

²⁸ Sub-decree #118 on State Land Management, Article 16.

²⁹ Sub-decree #118 on State Land Management, Article 12b.

The lack of clarity concerning State lands is also hugely detrimental to communities which claim possession rights under the Land Law. (See Section III above). For possession to be legal, the occupier's land must be State Private Property.³⁰ This is impossible to prove without access to the State Land Map and Database. For example, the residents of the Dey Krahom community in central Phnom Penh are being threatened with forced eviction and accused of being “illegal squatters” in part because of their inability to access the State Land Map and Database. If this information was accessible to the public, as required by law, it would be instrumental for such residents to prove their lawful possession, secure their tenure, and thus prevent their forced eviction.

The same problem exists for communities applying for a Social Land Concession (SLC). SLCs represent a progressive policy, which has the potential to ensure greater security of tenure and progressively realize the right to adequate housing for Cambodia's poorest communities. However, SLCs may only be granted on State Private Property.³¹ Without access to State land maps, it is unclear what land is available for SLCs, thus preventing the implementation of a policy that could be used to ensure greater compliance with the ICESCR.

In July 2006, a royal decree³² and sub-decree³³ were passed setting out the procedure for transferring State Public Property to State Private Property. The royal decree stipulates that for State Public Property to be transferred to State Private Property it must first lose its public service or use. After this the rules and procedure for reclassifying the land are set out in the sub-decree. Despite these regulations, State properties continue to be reclassified without public consultation, and with a complete lack of transparency. There is no public access to the State land maps or the State land database, which makes it impossible to determine with any certainty the classification of any given area. In addition, explanations or evidence of how the land has lost its public interest use are not provided, and the legal procedure is often fast-tracked to the end point of issuing of a sub-decree declaring the transfer.

In addition, legal NGOs are concerned that the provisions of the royal decree and sub-decree mentioned above have the potential to override the provisions of the 2005 sub-decree on State Land Management, which provides a much more thorough procedure for the reclassification of State land. This lack of transparency and access to the State land map has led to the sub-decree on reclassification being used as a *de facto* land concession-granting mechanism. Rather than conducting a coordinated and methodical mapping of State land, at present property is simply classified or reclassified whenever the Government wishes to sell, lease or grant a concession on the land.

This lack of transparency, combined with the multiple violations of the Land Law and related sub-decrees, have had a disproportionate effect on the poorest and most vulnerable in Cambodia. Rural communities have been deprived of farmland that once provided them with a means of subsistence. Indigenous communities have had their spirit forests and burial grounds razed, preventing them from carrying out traditional ceremonies and contributing to

³⁰ Land Law (2001), Article 38.

³¹ Land Law (2001), Article 58.

³² Royal Decree NS/RKT/0806/339 on Principles and Transitional Provisions on Transferring Public Properties of the State and Public Legal Entities.

³³ Sub-decree #129 ANKr.BK on Rules and Procedures on Reclassification of State Public Properties and Public Entities.

the threatened extinction of ancient cultures. And urban communities have wrongly been denied the opportunity to secure land tenure to which they are entitled.

Proposed questions

1. Can the Government explain when it will carry out a comprehensive, coordinated and transparent program of State land mapping and classification?
2. When will the State Land Map and Database be made available for public viewing, as stipulated by law?
3. How will the Government ensure that the 2001 Land Law and relevant sub-decrees concerning State land management are enforced in the future?
4. Why has the Government so far failed to protect properties that serve important public interests?
5. Will the Government commit to cancel any sub-decrees that illegally reclassify State Public Property in order to sell, lease or grant land concessions?

VIII. Land and Housing Rights Defenders

In recent years there has been a reduction in the democratic space available to civil society to oppose forced evictions. Lawyers defending indigenous communities against land speculation have been threatened with disbarment and criminal charges of incitement. Community leaders have been targeted for threats, and have been imprisoned for defending their rights.

The pattern of intimidation is evident in communities such as Dey Krahom in the centre of Phnom Penh, which is currently trying to protect its land from 7NG, a private company that has unlawfully acquired title over it. In an apparent attempt to put pressure on community activists, 7NG – in concert with local authorities – has filed a series of unwarranted criminal complaints over the past year against representatives and other members of the community. Despite a lack of evidence to support these complaints, 13 individuals from Dey Krahom, including six community representatives, have been charged by the municipal court with various crimes, and two community leaders have been imprisoned.

It has also become increasingly common for representatives of communities that have fallen victim to land-grabbing in rural Cambodia to travel to Phnom Penh in an attempt to raise their concerns with the central government – yet instead find themselves meeting with intimidation and violence. For example, in March 2007 a group of villagers from Koh Kong province that had walked to the capital to publicise the loss of their land to a wealthy businessman were encircled by trucks and threatened by loudspeaker that their security “could not be guaranteed”. Later that year, a group from Svay Rieng province that travelled to Phnom Penh to protest the grabbing of their land by a state-owned rubber company were

violently forced onto buses and sent back to their province. Several activists were beaten, and two taken unconscious to hospital.³⁴

Proposed questions

1. Can the Government explain what specific safeguards it has in place to ensure that individuals are enabled in practice and in law to question the legitimacy of evictions?
2. What specific actions has the Government taken to protect, defend and promote individual housing rights defenders against harassment or other forms of harm?
3. When will the Government order an impartial and independent inquiry into the actions of Cambodian local authorities and the 7NG company in legal attacks against housing rights defenders in the Dey Krahom community, and make the findings public?
4. Can the Government publicly commit to a policy whereby community representatives who come to Phnom Penh to appeal against land-grabbing are afforded the opportunity for their voices to be heard, and are not subjected to intimidation, violence and forcible return by municipal authorities?

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Organisations Involved in the Preparation of this Document

Borderlands Cooperative is a non-profit organisation involved in community, social and international development, ecological sustainability and social justice. Amongst other things, we provide consultancy to service providers, government and community organisations in the form of program, service and organisational evaluation, social impact research and needs analysis.

Bridges Across Borders Southeast Asia (BABSEA) is an international grassroots organization working to bring people together to overcome poverty, injustice and inequity in the Southeast Asia region. BABSEA builds bridges across borders by:

- Raising global awareness of the pressing issues facing people in Southeast Asia
- Facilitating people-to-people and educational exchanges, cross-cultural dialogue, and volunteer programs

³⁴ *Attacks & Threats Against Human Rights Defenders in Cambodia 2007*, LICADHO Briefing Paper, August 2008.

- Supporting local struggles for social justice, equitable development and the protection of human rights
- Teaching creative, non-violent methods of resolving conflict and redressing injustice

Cambodian League for the Promotion and Defense of Human Rights (LICADHO):

Established in 1992, the Cambodian League for the Promotion and Defense of Human Rights (LICADHO) is a local non-governmental organization working to strengthen civil society and to promote respect for human rights and the rule of law by the Cambodian Government and institutions with a central office in Phnom Penh and twelve provincial offices. LICADHO provides human rights education and training, monitors cases of human rights violations, provides assistance to victims, and conducts research and advocacy on major rights problems. Focused primarily on civil and political rights, LICADHO's programs also include the promotion and protection of women's rights, children's rights, and the rights of other vulnerable groups within Cambodian society.

The Centre on Housing Rights and Evictions (COHRE) is an international non-governmental organization which has consultative status with the Economic and Social Council (ECOSOC). COHRE is the leading international human rights organization campaigning for the protection of housing rights and the prevention of forced evictions. Further information on COHRE is available at: www.cohre.org.

The **NGO Forum on Cambodia** is a membership organization of over 80 NGOs that seeks to discuss, debate and advocate the concerns of the NGOs regarding Cambodia Development.

Sahmakum Teang Tnaut is a Cambodian NGO working with marginalised communities in basic infrastructure, housing rights and research. Further information on Sahmakum Teang Tnaut is available at: www.teangtnaut.org