

Cambodia Eviction Monitor

Issue # 1

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A Summary of 2006 Evictions in Cambodia

Compiled from Cambodia Daily and Phnom Penh Post

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Notification

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កំណត់សម្គាល់

របាយការណ៍នេះ បានចងក្រងព័ត៌មានដែលបានដកស្រង់ចេញពីអត្ថបទចុះផ្សាយនៅក្នុងទំព័រកាសែត ឌី ឃែមបូឌា ដេលី (The Cambodia Daily) និងកាសែតភ្នំពេញប៉ុស្តិ៍ (Phnom Penh Post) ដែលអត្ថបទទាំងនោះបានចុះផ្សាយនៅក្នុងឆ្នាំ២០០៦ ។ យើងខ្ញុំសូមថ្លែងអំណរគុណយ៉ាងជ្រាលជ្រៅ ចំពោះគុណភាពនៃវិជ្ជាជីវៈ ជាអ្នកយកព័ត៌មាន និងសេចក្តី រាយការណ៍ក្នុងរយៈពេលពេញ មួយឆ្នាំ២០០៦កន្លងមក ដោយការសែត ឌី ឃែមបូឌា (The Cambodia Daily) និងកាសែតភ្នំពេញប៉ុស្តិ៍ (Phnom Penh Post) ។

អត្ថបទរបស់កាសែតទាំងពីរនេះ បានជួយឱ្យយើងខ្ញុំមានលទ្ធភាពដើម្បីសរសេរបាននូវរបាយការណ៍ស្តីពីការបណ្តេញចេញឆ្នាំ២០០៦នេះ ។

អ្នកទទួលខុសត្រូវ៖ របាយការណ៍នេះ ត្រូវបានបោះពុម្ពផ្សាយក្រៅផ្លូវការដែលប្រើព័ត៌មានពីប្រភពផ្សេងៗជា ច្រើន ។ ទាំងកាសែត ឌី ឃែមបូឌា ដេលី (The Cambodia Daily) និងកាសែតភ្នំពេញប៉ុស្តិ៍ (Phnom Penh Post) គ្មានចំណែកក្នុងការទទួលខុសត្រូវ ចំពោះកំហុសណាមួយនៃការបោះពុម្ពផ្សាយរបាយការណ៍នេះទេ ។

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Battambang

Sangke District

22 families tried to stop the construction of a police centre on their 7 hectare plot of land in Sangke district. The families lent the land temporarily to the village chief in 1990 for use as a UN refugee camp and then a military training center. The families took the land back in 1996 and have been farming it since then. However, the Provincial Police Chief Kang Sokhorn claims the land is the state land and has offered 1.7 hectares as alternative land in return for 7 hectares. The community refused the offer and the police are now determined to “persuade them” to accept the offer. The people are resisting by using ox carts, timber and rocks to block trucks ferrying material to build the new police-training center.

Bavel District

More than 3,170 families were threatened with forced evictions in Boeng Pram area in Ampil Pram Doem commune. The government previously allocated the 10,000 hectares of forested land to RCAF soldiers, the land was unused and in 2005 the families moved in. However, senior government officials sold the land to private investors. Sieng Suthy, deputy provincial governor repeatedly told the people that they must leave the land. Rogue RCAF (Royal Cambodian Armed Forces) soldiers detained some villagers, torched their homes and forcing some at gunpoint to thumbprint contracts giving up their land.

Fifty representatives went to Phnom Penh and demonstrated in front of the Prime Minister’s house, but they were soon cleared away.

Banan District

100 families in Banan district were chased away from their land by the authorities. The poor families claim half a hectare of land but want another 5 hectares for farming in Dounba commune. 70 villagers protested in front of the provincial governor’s office requesting for land in Kors Kralor.

Kampot

Chhuk District

Police tried to clear ten villagers’ houses from disputed land in Sathphoang commune, Chhuk district to enforce a Supreme Court ruling that gives the land to a Phnom Penh judge. The villagers’ claim the land after its owner failed to repay them a debt, which he had given the property as collateral. The provincial land management department granted the families titles to several 4 meter by 19 meter plots within the larger plots in April 2006 at the request of the prime minister Hun Sen. However, the municipal court judge said he purchased the 38 metre by 55 metre plot of land in 2001 for USD250,000.

Chhuk District

240 families in five Chhuk district villages accused Kampot province officials of failing to take action against local authorities, including commune and village chiefs, who have allegedly brokered the sale of 600 hectares of community forest land. The land was sold for US\$60,000 to a powerful government official. The forest land was cleared.

Koh Tonsay

Kep municipal governor plans to evict fourteen families living in Koh Tonsay or "Rabbit Island" to make way for a five-star and golf course. The government offered each family a 25 meter by 50 meter plot of land on the Island located about 7 km from the proposed Try Pheap Company construction site. The villagers say that they were not being offered any compensation. To relocate them to new land is not enough, as it does not take into account their fruit plantations. Currently villagers earn about USD5000 annually farming seaweed, mangoes and coconuts.

Kandal

Kien Svay District

A woman was beaten and two young men were arrested during a police operation to clear the land claimed by the Phanimex Company. The company claimed that 25 families had built houses on their land and 20 other families were staking claims too. The company claims that they bought 120 hectares of land from 300 families and now people are protesting against their eviction. A human rights organization ADHOC said that the two young men were severely beaten with one losing consciousness. A group of 30 people also traveled to Phnom Penh and protested outside the National Assembly building.

Ang Snuol District

Villagers from 8 villages in the Punsaing commune claim that local authorities have taken 239 hectares of land farmed by the villagers since early 1980's. Authorities claim that it belongs to a private company. 10 truck loads carrying villagers went to Phnom Penh to protest in front of the National Assembly. The police dispersed the crowd firing tear gas and baton charged the protesters. In their second attempt they met with some law makers and handed over a written complaint.

Ponhea Leu District

Over a 1,000 families' livelihood will be affected by the filling of the Samraong lake, in the Ponhea Leu district. The lake measuring 5 km by 1 km has already been half filled and is being claimed by a private company.

Ponhea Leu District

1327 families in Kampong Os commune received US\$110 each for signing away claims to the 1,690 hectares of state owned land known as Fishing Lot 16. Members of the community said that they were not selling their own land it was the state land and if someone was paying some money for land that was not theirs it was ok. The land developer Dy Po's is pushing the government to build a road, to the land near the 1,690 hectares of land he is claiming. He only wants to assist the 1327 families, as the road will improve their quality of life. The Ministry of Agriculture has sent him a letter to stop paying the families to clear the land. The developer has said that the

National Assembly President Heng Samrin has endorsed the request to develop the land and help the local community.

Ratnakiri

Ochum District

The Ratnakiri Provincial Court ruled that 106 ethnic minority families fighting their evictions from 200 hectares of land should be allowed to retain 49 hectares and be compensated US\$3,000 for the remaining 151 hectares of land. According to the court it ruled in accordance with an agreement reached between the ethnic minority villages in Ochum district Ekkapheap commune and the businessman Seng Piseth who was granted their land under the government concession deal. However human rights lawyers were surprised that the ruling was made without a hearing. Villagers from Rarch village were present in the court. However two villages Ph'or and Om were not present and were surprised that a few villagers spoke on their behalf.

In 1996 villagers were asked to thumbprint documents for “development activity that would benefit them”. They were paid US\$5 per family. The documents actually transferred possession rights over their land to a number of different people outside their local community. In 2003 villagers were informed that the land was not theirs and “the new owner” would be coming to take the land. The villagers made a complaint to the Cadastral Commission.

In 2005 the villagers were visited by police, military, a deputy district governor and a deputy provincial governor who also informed the people that the land was not theirs but now belonged to a businessman. He started clearing the land before the villagers could harvest their rice crops. Armed police and military were in attendance to support the clearance. Two Ekkapheap residents were imprisoned for 2 months and 10 days by the court in early 2006 after they tried to prevent the businessman from leveling their crops.

Ochum District

Villagers in Ochum district have lodged a complaint with the human rights group ADHOC claiming that 11 local people have illegally logged thousands of valuable trees with the assistance of police and district officials. ADHOC's investigation found that thousands of luxury wood trees were cut in the Thouy Ampil village. Five of the eleven villagers made a statement that they were ordered and paid to cut the trees by the local officials.

Bokeo District

A gem mining operation in Bokeo district has choked off the water supply along the district's Lyear River. In search for sapphires and rubies, miners are using powerful explosives to blast the earth from the Dang Mountain filling the river with tons of silt. The miners are linked to powerful government officials. The fish in the river has died and villagers have to resort to wells for water.

Lumphant District

Representatives of more than 300 ethnic villagers in Lumphant district filed a complaint with the human rights group ADHOC accusing their district governor of selling 250 hectares of communal forests to a private businessman.

Banlung district

Six families were threatened to vacate their land by the dominant party Cambodian Peoples Party lawmaker Bou Thang. The villagers in Laban Siek commune have lived on the two hectares land since 1998. Bou Thang visited the commune and laid claim to the land and informed the people that it was his. He threatened them with a gun.

Koh Kong**Sre Ambel district**

A wealthy businesswoman claims 500 hectares of land, which included 40 homes of villagers. The villagers have been living on the land for over ten years. 30 villagers traveled to Phnom Penh to seek government assistance in solving this dispute, and to obtain the release of a villager who has been arrested over the dispute.

Sre Ambel district

Another 600 families face evictions and their 5,000 hectares of land to a private company who has a 10,000 hectare sugar cane concession, this includes the villagers land.

Sihanoukville

A Russian firm has signed an agreement to spend US\$300 in Sihanoukville's Hawai Beach and Koh Pos island. The newly created Koh Pos Development Company Ltd. now has a 99 years lease on the island and beach on the mainland. They will build a five-star hotel, business centre and a 900 metre long and 50 metre high bridge to connect the island with the mainland. The state will receive US\$80,000 a year as rent. Currently Sihanoukville attracts 60,000 foreign tourists. With this new development and the creation of a new airport the government hopes that another 90,000 tourists will be attracted.

Prey Nop district

The houses of 57 families on a 16 hectare plot in Ream commune were bulldozed. The families are seeking alternative land. 45 villagers rallied outside Prime Minister's house to demand new land but were dispersed by police and military. They have filed a petition with Hun Sen's cabinet.

Mittaheap district

94 houses out of the 100 homes in Tumnob Ralork community next to Sihanoukville's port were burned down. Community representatives had gone to Phnom Penh to lodge a complaint at the National Assembly alleging that the port authorities were trying to evict them. They complained that the port officials were not allowing them to repair or develop their homes. The municipal fire trucks arrived before the port fire trucks even though the port fire station is nearby.

Serendipity Beach

131 families were forced to remove their homes from the hill above Serendipity Beach. The families had been living on the land since 1998. Sihanoukville governor said that the people were living on the land illegally and had agreed to move out

voluntarily after being given US\$75 and 20 kilograms rice. There are plans to build villas and holidays resorts on the land.

However, community representatives said that the governor invited them over for negotiations and then forced them to accept the \$75 and rice. Then more than 100 police and military police turned up with weapons and threatened people. One house was burned down. Seven families, according to a human rights group Licahdo, did not receive any compensation. 60 people representing the 131 families gathered in front of the Royal Palace seeking the King's help in securing adequate compensation for their land. The families are seeking at least US\$2,500 each to purchase new land with access to electricity and water. Eight guesthouses have not been demolished, though one of them is owned by Hun Sen's brother, Hun San.

Ochateal Beach

10 trucks with armed personnel and bulldozers demolished 71 homes belonging to fisher folk and their families on the orders of the municipal authorities. In addition 40 food stalls were also demolished. People were afraid to protest after officials shocked two people with an electric baton. The families have no where to go and are homeless and have lost their means of livelihood. The municipal authorities leased 43 hectares of land around Ochateal Beach to businessman Sok Kong, Sokimex petroleum company president for the construction of a 500 room resort hotel, diving facilities, nine-hole golf course and a 1000 person conference room.

Banteay Meanchey

200 demobilized soldiers from Banteay Meanchey province camped outside the National Assembly building to draw attention to their land dispute in the province. They represented 340 families and claim that they commanding officers sold the land earmarked for them when they left the military in 2000 and 2001.

Andoung Thma Village

29 families living on 78 hectares since 1988 are threatened with evictions and senior military personnel are trying to clear the property. Four of the villagers were arrested. The military claim it is their land and is being cleared to give to demobilized soldiers. However, demobilized soldiers were protesting outside Banteay Meanchey's provincial offices demanding land promised to them by the government.

Phnom Penh

Construction materials shops along main roads

Phnom Penh municipality ordered the relocation of all construction material shops situated along the city's main road to ease traffic jams and congestion. The jams are caused by trucks loading and unloading materials. Russian and Mao Tse Tung Boulevard are being targeted as they need to look good and to have easy access for diplomats who drive down the roads. However, 90 percent of the people who run the trade do so from their homes.

Wat Phnom

Restaurants, bars, massage parlors and small vendors have been ordered to relocate from Wat Phnom to ease traffic congestion. The removal order does not

extend to the two major hotels or to the new US embassy compound. There are more than 80 small businesses in the area.

Kbal Thnal Market

546 market stalls have been asked to move out of their stalls in Kbal Thnal market to make way for the construction of a new bridge. The construction of a new market located in Meanchey district is complete and is privately owned. Vendors can only rent out stalls in the new market, compared to the fact that they owned their stalls in Kbal Thnal market. The vendors are being offered two year rent free stalls. The vendors have refused this offer as it is too temporary and no security. They are not being offered any compensation for the stalls they currently own in Kbal Thnal market. They have requested US\$10,000 as compensation for shops as small as 1.2 metres by 2 metres.

Dangkao's District

35 families are demanding their land back from the Royal Cambodian Armed Forces (RCAF). The 8 hectares of land was borrowed from the families 20 years ago as the country was in need at that time. The RCAF plans to sell the land. The land near the international airport is valuable. The Council of Ministers wrote a letter in August 2005 requesting the Ministry of Defense to return the property to the villagers. The co-Ministers of Defense Tea Banh and Nhiek Bun Chhay wrote on 30 August 2005 ordering the RCAF Commander in Chief to return the land by giving each family 0.25 hectares.

Sambok Chab (Village 15), District Chamcamorn

1,465 families from Village 15 were forcibly evicted in June 2006. They were relocated in Trapeng Kraseng commune about 20 km outside the city. The relocation site was completely undeveloped land. The land has been sold to Sour Srun Company, who is planning to build a shopping centre on the land.

Hundreds of families renting in the area were rendered homeless as the land lords moved to the relocation site. Renters were not eligible for compensation or alternatives. The municipality has no policy to assist the renters.

Monivong AB, Sangkat Phsa Themai 3, District Donh Penh

On June 29, 2006 the 168 families were forcibly evicted. Around 5am at least 100 police armed with electric batons, tear gas and some AK-47 assault rifles surrounded the community. They were relocated in Ang Snuol District, Kandal province around 30 km outside the Phnom Penh. The relocation site was without any basic facility such as water and toilet. Later most of the families except 20 to 30 families returned to the city as there is no employment, education and health facilities at the site.

Group 78, Village 14, District Chamcamorn

On June 28, 2006 the Municipality of Phnom Penh offered the 146 land owning families of commune Group 78 in Village 14 in Tonle Bassac 5 by 12 metre plots of land in Trapeng Kraseng commune about 20 km outside the city and USD500. The community did not accept the offer. They have been living there since 1983, and have asked the government for USD700 per square metre for their land. They have legal papers for their land. The Municipal Governor claimed that the land was once a road and hence belongs to the state. The renters will not get any compensation. The

land law states that anyone who is able to prove that they have lived on the land for more than five years they must be issued land titles. Authorities have refused to give land titles to the residents of Group 78.

Group 78 is situated inside Village 14 from which about 1,000 families were evicted in June 2006. The land was sold to Sour Srun Enterprises Co. Ltd. They are planning to build a shopping centre on the land. The municipality will forcefully evict people if they do not accept the offer. A demand from human rights to the authorities was to offer the community fair and just compensation, which is the market price of the land.

By July 15, 2006 only 10 families accepted the government's offer of USD500 and land in Trapeng Kraseng commune. The community also held a demonstration to protest the forced eviction threat.

Kampong Cham

Stung Trang district

The Boueng Ket rubber plantation is attempting to clear 431 hectares of land claimed by 173 families. Two persons were arrested on charges of obstructing bulldozers belonging to the Boueng Ket Plantation company, which were trying to clear their land. One of those arrested, Hor Nguon Leng was forced to sign a document giving up his rights to a hectare plot in the presence of a provincial court investigating judge Thon Ol. The provincial court chief prosecutor said the decision to release the men was taken after they agreed to relinquish their claim to the land. The thumbprint was given under duress and extortion, say human rights lawyers. This case should have been resolved by the National Authority for the Resolution of Land Disputes.

Sources: Cambodia Daily, The Phnom Penh Post