



## **MEDIA STATEMENT**

### **COHRE Condemns eviction of Dey Krahorn community in Phnom Penh, Cambodia.**

Geneva, 29 January 2009: The Centre on Housing Rights and Evictions (COHRE) today condemned the eviction of at least 400 families from the Dey Krahorn community in Phnom Penh, Cambodia as a violation of human rights. The eviction, conducted on Saturday 24 January, was violent, illegal under Cambodian and international law, and has left hundreds homeless.

The eviction was carried out in the early hours of Saturday morning, by over 400 breakers from the 7NG company, accompanied by over 300 heavily armed police officers. Officials from the Municipality of Phnom Penh were also present. Attempts were made to remove human rights observers and journalists from the area. In the course of the eviction, tear gas was fired into the community and heavy machinery, including a bulldozer, was used in a dangerous manner. As a result, 18 community members were injured, including five who were seriously injured. Private property was systematically destroyed during the eviction.

Over three hundred families have been rendered homeless by the eviction, and are staying in makeshift shelters at a resettlement site, or with human rights organisations. They are now demanding compensation for the loss of their housing and property. A small number of families have been provided with alternative accommodation more than 15km from the centre of Phnom Penh, in substandard housing conditions without water or sanitation, too far from livelihoods for most families to continue in their current employment.

The eviction itself took place while negotiations between the Municipality and residents about appropriate compensation for the land and housing of residents were still ongoing. The 7NG company's claim to the land is based on a fraudulent land transaction between former community leaders and the company, which was concluded without the knowledge of the community in 2005. Since then, the community has faced threats and intimidation from the company to leave the land.

COHRE's Executive Director, Salih Booker, said: "This eviction, carried out by a private company with the support of the Municipality of Phnom Penh, constitutes a clear breach of Cambodia's international human rights obligations. The carrying out of the eviction is not justified – rather, it is an attempt by 7NG to grab valuable land through fraud, threats and violence. The violence which accompanied the eviction is also of great concern, and contrary to human rights standards."

Booker continued: "We call on the Government of Cambodia and the 7NG company to immediately deal with the humanitarian crisis that the eviction has caused for the community, as well as to compensate families for the damage to property and loss of

housing. We call on the government to conduct an independent enquiry into the process leading to the eviction, including any unlawful acts by the company, and into the eviction itself.”

It is estimated that more than 150,000 Cambodian live under threat of forced eviction, including 70,000 in Phnom Penh. It is feared that a number of other threatened communities in Phnom Penh will also be evicted, contrary to Cambodia’s human rights obligations, following this eviction.

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### **Background:**

The Dey Krahorn community is located in the Tonle Bassac Commune in the Phnom Penh, in the heart of the fastest-growing area of the city. The community began residing in Dey Krahorn in the mid 1980’s, and at one time numbered over 805 families.

The land at Dey Krahorn was granted to the community as a Social Land Concession in 2003, following Prime Minister Hun Sen’s announcement that his government would provide secure land tenure and assist in the onsite upgrading of 100 inner-city poor communities each year. Dey Krahorn was to be among the first urban poor communities to become beneficiaries of this plan. The Social Land Concession included the provision for onsite upgrading on 3.7 hectares of the total 4.7 hectares of land, and the provision of secure legal tenure rights for the community. The remaining 1 hectare was allocated for private development.

On 13 January 2005, a private company, 7NG, negotiated a contract with the then village chiefs of Dey Krahorn, effectively swapping the prime land in Dey Krahorn for housing on a relocation site in Damnak Trayeung, 15km outside of Phnom Penh. The Dey Krahorn residents have maintained that they never agreed to an off-site relocation and that they were never consulted about the contract. Under Cambodian land and contract laws it is illegal to sell other people’s rights to land. The contract with 7NG is therefore legally invalid.

The community through its new representatives filed numerous complaints disputing the validity of the contract, all of which were rejected. Instead over 300 families were forced to take part in a ‘lottery draw’ trading their Dey Krahorn land for a house in the relocation site. Others, due to fear of threat and intimidation, accepted minimal compensation offers for their homes and land and left the village. Many villagers continued to stay in Dey Krahorn. On 14 December 2006 the Department of Land Management, Urbanization, Construction and Cadastral Survey illegally issued an ownership title to 7NG, conferring the property rights over the Dey Krahorn land to the company. The community has since then been living under the constant threat of forced eviction.

Since the beginning of the land dispute between the Dey Krahorm community and 7NG, the community has been subjected to continuous harassment by authorities and company officials. Community leaders and outspoken community members who have tried to defend their human rights, have faced false criminal charges for destruction of company property or incitement against the government.

Despite the harassment, the Dey Krahorm community has consistently maintained that it has rights to the land and should be offered the market value price should 7NG wish to purchase it. In a show of good will, the community worked with NGOs to prepare an on-site upgrading and land sharing plan. The community's claims and the plan were, however, rejected by the MPP and the 7NG company.

In 2008, one of Dey Krahorm's community leaders, Chan Vichet, was nominated for COHRE's annual global housing rights defender awards, in recognition of his outstanding leadership of the community and commitment to non-violence in the defence of housing rights.