



United Nations Experts to Review Cambodia's Compliance with Human Rights Covenant

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On Monday and Tuesday, the United Nations Committee on Economic, Social and Cultural Rights will question a Cambodian Government delegation on its performance on a range of human rights issues, including poverty reduction, health, education, labor, housing and food.

Natalie Bugalski, Legal Officer at the Centre on Housing Rights Evictions (COHRE), said "The examination of the Government by eighteen independent experts and jurists of the United Nations over the next two days is extremely significant. The conclusions of the UN Committee will provide an impartial assessment of Cambodia's compliance with its international law obligations with respect to economic, social and cultural rights."

A delegation of seven Cambodian and international civil society and community representatives traveled to Geneva to testify before the UN Committee on Friday. The delegation raised civil society concerns about violations of land, housing, food, natural resources and indigenous rights.

The civil society delegation provided evidence to the Committee to refute government assurances that the Cambodians are well protected by law from land-grabbing and forced evictions.

"The Government's 2003 commitment to upgrading urban poor settlements and ensuring their tenure security, referred to in the State Party Report¹ appears to have been abandoned in the face of rapid urban development spurred by an influx of foreign investment," said David Pred, Director of Bridges Across Borders Southeast Asia. "Cambodia urgently needs to adopt a comprehensive housing policy and legal framework, which begins with guaranteeing legal tenure security and providing guidelines for development-induced displacement and evictions that comply with Cambodia's obligations under the Covenant."

Chan Vichet, representative of the Dey Krahom community, which was forcibly evicted on 24 January 2009, was among the delegation who testified before the Committee. He challenged the Government's assertions in its State Party Report that Dey Krahom represented a positive example of government policy. He distributed copies of a video with footage of the violent, forced eviction of Dey Krahom families, and explained that their possession rights under the Land Law were not respected when the Municipality of Phnom Penh and the 7NG company unilaterally broke off negotiations with the community and forcibly evicted them in order to commercially develop their prime city-centre real estate. "When we hear the word 'development' in our area, we cry," Chan Vichet told the Committee after an emotional recounting of the destruction of his home and possessions. He also testified about how the company had used the legal system to persecute him for defending his community's land rights, while the courts and land dispute resolution mechanisms had all failed to provide any form of redress for the community despite their repeated attempts to use the system to protect their rights.

The civil society delegation also included rural and indigenous community network representatives who testified about the impact of mining, economic land concessions, and

¹ Cambodia State Party Report, 10 November 2008, paragraph 537.

logging on rural and indigenous communities. They said that these concessions had led to an alarming erosion of their enjoyment of the right to food because they have reduced their access to subsistence farming and grazing land, and destroyed forests that they have used for generations for collecting food and non-timber forest products. The rural community representative spoke about Prey Long forest, which he said around 300,000 people depended on for their livelihoods, and which was now threatened with destruction by economic land concessions. He expressed concern that the destruction of Prey Long would not only affect the forest communities who live around the vast forest in Northern Cambodia, but it would also be an environmental catastrophe for the entire country, because Prey Long is the primary watershed for the Tonle Sap basin, which is Cambodia's rice and fish bowl.

The indigenous community representative said that the government's current development policies, coupled with the lack of a comprehensive legal framework to protect indigenous land rights, and a lack of implementation of protections that do exist, has caused indigenous communities to face displacement from their homes, alienation from their lands, and destruction of their burial grounds and spirit forests. This has threatened the very existence of Cambodia's indigenous minorities.

Cambodia ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1992, and in doing so, committed the State to uphold these rights. All States parties are obliged to submit regular reports to the Committee on how the rights are being implemented. States must report initially within two years of accepting the Covenant and thereafter every five years. However, Cambodia failed to submit a report until late 2008 after the Committee warned that it would conduct the review in the absence of a state report, relying only on third party submissions.