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ការិយាល័យលើកក្តមស្តង់ដារនៃការទទួលបានសិទ្ធិមនុស្សប្រចាំកម្ពុជា



UN EXPERTS APPEAL TO RESPECT HUMAN RIGHTS OF BASSAC RESIDENTS
IN PHNOM PENH, CAMBODIA

30 May 2006

The following statement was issued today by the Secretary-General's Special Representative on human rights defenders, Hina Jilani, and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Miloon Kothari:

“In our capacity as independent experts, we wish to publicly raise our concerns on the on-going process of evictions taking place in the Bassac river area in Phnom Penh, Cambodia.

“We are continuing to receive troubling information concerning evictions of informal settlements on the bank of the Bassac River by the City of Phnom Penh, as part of a plan to redevelop the land, claimed to be the property of a private company. These settlements have been in place since the early 1990s and house several thousand families.

“Due to this process, several hundred families have already been rendered homeless and are now living in open air. They are facing serious health risks, especially with the advent of the rainy season in Cambodia. While some of the residents have been offered relocation, the new site is far away and lacks basic services such as electricity and running water, and it is reportedly inclined to flooding. These poor families will encounter further difficulties to find employment in that remote area.

“There are disturbing allegations that municipal authorities have intervened to stop non-governmental organizations from distributing tents and humanitarian aid to the families who had become homeless. In some cases, security forces have allegedly pulled down tents and destroyed personal belongings. The Special Representative on human rights defenders would like to remind the Government of Cambodia of the provisions included in the 1998 Declaration on the Rights and Responsibilities of Individuals, Groups and Organs of Society to Promote and Protect Universally recognized Human Rights and Fundamental Freedoms, which guarantee the rights of human rights defenders including NGOs to carry out activities to promote and protect human rights.

“There are concerns that the authorities may resort to force to evict these families. Moreover, allegations of intimidation, threats and corruption have marred the process of registration and resettlement of the persons affected by the eviction.

“‘Development-based’ evictions often contravene recognized human rights standards, such as the International Covenant on Economic, Social and Cultural Rights, and affect the poorest, the socially and economically most vulnerable and marginalized people in society. The eviction process will further intensify the poverty and inequalities the Bassac communities

are facing. In this context, the Special Rapporteur on adequate housing wishes to remind the authorities of Cambodia of recently developed guidelines, which have been previously drawn to their attention, aimed at assisting States in developing policies and legislations to prevent forced evictions. The Special Rapporteur also reminds the Government of Cambodia of the pertaining sections on the status of the rights to housing and eviction in his report on his mission to Cambodia (E/CN.4/2006/41/Add.3).

“We therefore call for a halt to these evictions and for immediate action to ensure that these families have access to adequate housing consistent with Cambodia’s human rights obligations. We strongly urge the Government of Cambodia and the Municipality of Phnom Penh to ensure that:

- appropriate consultations take place with the persons to be evicted;
- no evictions result in homelessness;
- persons affected by the evictions are given appropriate compensation and rehabilitation;
- relocation sites have adequate basic services and allow the possibility for the relocated persons to earn their living;
- an opportunity to seek redress without sanction is made available when needed;
- a constructive dialogue between all parties, including the non-governmental organizations, is established;
- NGOs are allowed to offer assistance and protection to the families affected by the eviction without interference;
- measures are adopted to ensure registration of those affected by the eviction and monitoring of their relocation are carried out fairly and transparently; and
- every effort is made to prevent the use of force.”

The Special Rapporteur’s report, including the “Basic principles and guidelines on development-based evictions and displacement” (E/CN.4/2006/41) can be found at: <http://www.ohchr.org/english/issues/housing/annual.htm>

For more information on the mandate and work of the Special Rapporteur on adequate housing, please consult the website of the Office of the High Commissioner for Human Rights at: <http://www.ohchr.org/english/issues/housing/index.htm>

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