

**BOS/O'BAT MOAN VILLAGE IN KONKRIEL COMMUNE,
SAMRAONG DISTRICT, ODDUR MEANCHEY PROVINCE**



CHRONOLOGY OF A FORCED EVICTION

1998: According to reports by residents, the first families come to settle in Bos village in Konkriel commune, Samroang district, Oddur Meanchey province after the NGO Halo Trust had cleared the area of landmines. The settlement of O'Bat Moan is integral part of Bos village.

2003: Mr. Huy Chhouy- in his capacity as Bos village chief- submits a written motion to the commune chief, asking for permission to distribute residential plots and farm land in O'Bat Moan to the rapidly growing village population.

Huy Chhouy and other villagers confirm that public officials participate in distribution ceremonies of the land. Among them, representatives from the commune level Forestry Administration, the

commune council, district authorities, and a number of village chiefs from the area. Huy Chhouy states that each villager received a 30m x 60m plot of land for residential purposes and five hectares of farm land.

2006: Supported by the EU and Ockenden, there are ongoing efforts with the aim to establish community forestry projects in the area, in close cooperation with the provincial governor and the relevant forestry authorities.



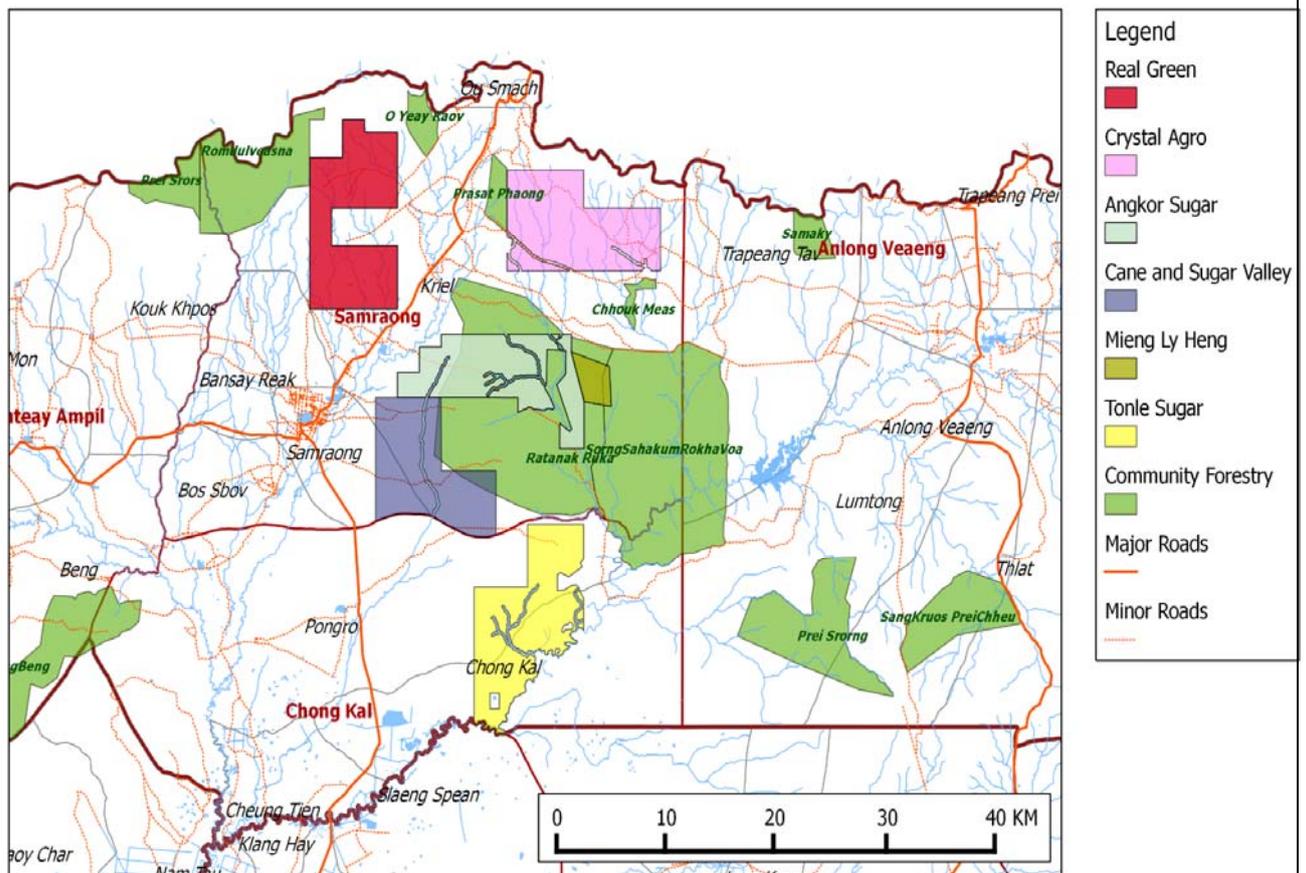
Signboards indicating community forestry projects in Konkriel

2007: Three companies- (i) Angkor Sugar, (ii) Cane and Sugar Valley, and (iii) Tonle Sugar Cane are being granted economic land concessions, encompassing more than 6.000 hectares each (19.736 hectares in total) in Samraong and Chong Kal districts. Although the three companies are separate entities with independent management structures, there have been allegations that they are all part of the business conglomerate of ruling-CPP Party member and State senator Ly Yong Path. Staff employed by the companies tells villagers that if they wished to file complaints against any of the three entities, *“they should address it to H.E. Ly Yong Path, since he is in charge of all of them.”*

The 6.523 hectare economic land concession granted to Angkor Sugar Company in September overlap almost entirely with the *“Ratanak Rukha”* forestry community which is comprised of 16 villages, including that of Bos/O’Bat Moan. As a result of the non-transparent public information policies surrounding the establishment of economic land concessions, the affected villagers have little to no information about the status of their community forestry as well as the exact size and ownership structure of the concessions.

In a letter issued in the same year, the provincial authorities state that 31 villages which occupy an area of 4,500 hectares are located within the boundaries of the three concessions. Provincial authorities publicly announce that the new sugar cane concessions would create 50,000 jobs and help curb undocumented migration of Cambodian workers into exploitative or slave-like labour conditions in Thailand. In stark contrast to that, many villagers fear the loss of livelihood and economic hardship as a direct consequence of the sugar cane projects. Thus, prior to the grant of the concessions, hundreds of community members from 13 affected villages submit a petition to the Prime Minister on 3 July, voicing strong concerns over the establishment of the sugar cane plantations on their land. This initiative is followed by another petition of 801 families from seven villages located within the affected Konkriel community forestry project seven months later that urge the Prime Minister to discontinue the Angkor Sugar economic land concession.

ELCs & Community Forestries in Samraong & Chong Kal districts



The map illustrates the extent to which the Angkor Sugar Company economic land concession overlaps with the Ratanak Rukha forestry community in Konkriel

2008-2009: Successive "*conflict resolution committees*" set up by the authorities fail to dispense of their duties in good faith, and in recognition of the entitlements and needs of the affected communities. Deputy governor San Vanna is in charge of the first raid on Bos/O'Bat Moan village in April 2008 that results in the destruction of houses. Residents are subject to continuing intimidation campaigns with the aim to coerce them into accepting resettlement terms set by the authorities in the interest of the private concessionaires. In interviews with *Cambodge Soir*, civil society representatives that work closely with the affected communities in Konkriel commune highlight patterns of collusion between the concessionaires, provincial authorities and local military officers.

According to reports by villagers, the secretary general for the provincial government and current head of the fifth "*special conflict resolution committee*", Mr. Vat Paranin, continues to employ thinly veiled threats to force villagers into accepting the "*compensation offers*" proposed by the authorities on behalf of the concessionaires. Under the compensation agreements, the villagers would be obliged to accept land plots assigned to them by the authorities "*or lose everything*". If the villagers rejected, they would also become subject to criminal investigations, according to the authorities. Villagers report that compensation offers consisted, among others, in land that was much smaller than the plots taken away from them, or land that was already owned by third parties.



Mr. Vat Paranin in the center with loudspeaker

Provincial authorities claim that before 2006, only few families lived on the disputed land. The authorities maintain that most of the families settled illegally without official permission and were "*incited*" to move to the area by Hoy Chhouy with the prospect of obtaining five hectares of paddies and compensation after the inception of the three economic land concessions. According to the authorities only 39 families in Bos/O'Bat Moan have entitlements and would therefore be eligible for compensation.

- April 2008:* Angkor Sugar is the first company to commence work in the claimed concession area. Under the guidance of local authorities, Angkor Sugar Company staff wearing T-shirts with logos saying "*Donated by H.E. Ly Yong Path*" demolish 154 houses in O'Bat Moan village. A "*reconciliation agreement*" concluded between a representative of Angkor Sugar Company and selected villagers under the auspices of the National Authority for Land Dispute Resolution (NALDR) on 26 April confirms that the disputed land belongs to the company, and that the families affected by the concessions are held to apply for "*Social Land Concessions*" with the local authorities, in accordance with the relevant Sub-Decree No. 19 of 19 March 2003.
- 28 Sept 2009:* Ten community representatives from Konkriel commune travel to Phnom Penh to file petitions with the Council of Ministers, the National Assembly and the Cabinet of the Prime Minister.
- 3 Oct 2009:* A mixed group of more than 50 provincial and district military police and civil police surround and seal off Bos/O'Bat Moan village.
- 5 Oct 2009:* Police arrest former village chief, Mr. Huy Chhouy, and two other community members, Mr. Long Sarith and Mr. Long Chankiri. Huy Chhouy manages to escape and remains in hiding. Long Sarith and Long Chankiri are being taken to Oddur Meanchey provincial police HQs and are later transferred to Siem Reap prison. They are accused of having illegally cleared forest land and enclosed it for the purpose of claiming false ownership in accordance with Article 97 (6) of the Forestry Law. Article 97 (6) of the Forestry Law constitutes a serious offense punishable with a minimum prison term of five years. Both men maintain that they received the land in question in 2003 with the consent of the commune chief and never cleared forested land illegally. Mr. Huy Chhouy assumes the sole reason for the authorities to seek the arrests of Long Sarith and Long Chankiri is their recognized status as "*strong and outspoken community representatives.*"
- 7 Oct 2009:* Three police officers severely beat a 25-year old villager, Mr. Un Chan, with their rifle butts on his head, upper body and hips. Chan was walking along a trail regularly used by community members with three other men when police officers intercepted them and started to beat Un Chan until he fell unconscious. A community member organized his transfer to a hospital in Siem Reap where he receives treatment. On the same day, eight community land activists go into hiding in fear of imminent arrest and violent retribution by police officials.
- 8 Oct 2009:* Arrest of a third villager, Mr. Mar Oukchouen. Mar Oukchouen is being transferred to Siem Reap prison and later charged under Article 97 (6) of the Forestry Law.
- 9 Oct 2009:* A contingent of approximately 150 police, military police, hired demolition workers, Forestry Administration officials and regular

RCAF troops from Battalion 42 set up roadblocks at the entrances of Bos/O'Bat Moan village and start bulldozing and burning down around 100 houses. Observers are prevented from entering the village. The provincial police chief, Mr. Men Ly later claims that rights workers had free access to the site and denied allegations that any houses were *destroyed* or burned. He said that the armed forces came to "*remove tents*". Female villagers and children in most parts seek refuge at Koktlok pagoda in neighbouring Koktlok village. Monitors report that most of the men took to the forests in fear of retribution by armed forces and possible arrests. LICADHO monitors continue to investigate the legal grounds on the basis of which the authorities ordered the forced eviction. The level of damage to private property caused by the mixed forces and the demolition gangs is also being assessed.



Villagers in the remnants of their former homes

- 10 Oct 2009: Armed forces control access to Koktlok pagoda, where mainly evicted women and children sought refuge. The situation remains tense throughout the day. According to statistics provided by officials, 76 families fled to the pagoda. LICADHO monitors estimate that approximately 70 children are present in the pagoda compound, including a number of pregnant women. Provincial officials ask families to thumbprint documents recognizing the terms of resettlement set by the authorities.
- 11 Oct 2009: Reports suggest that authorities try to force villagers out of Koktlok pagoda to take them to other sites. The secretary general for the provincial government, Mr. Vat Paranin denies allegations of use of force on 11 October in Koktlok pagoda. This is contradicted by statements of villagers that call human rights monitors from inside the

pagoda reporting the use of force and coercion in the process. In the evening all families are reported to have vacated the pagoda premises.



Evictees seeking refuge in Kocktlok pagoda

12 Oct 2009: After their removal from Kocktlok pagoda, the evicted families regroup at public shelters (sala chhor tian) along the roadside, where they are monitored by police, military police and RCAF personnel. The humanitarian situation of the families remains critical, many lack basic food supplies, mosquito nets and tarpaulins.



Evicted families in a public shelter near Chouk Meas village

[Photos provided by ADHOC and LICADHO]

□□□