

# Families Told to Prepare to Vacate Land Needed for Railway Station

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Government officials met with more than 200 Phnom Penh families on Friday to lay out the state's case for ownership of their land and the compensation they can expect when they are evicted from their homes situated along the city's railway tracks.

The \$142 million project to upgrade the national railway network, which is being funded by Australia and the Asian Development Bank (ADB), is expected to displace some 4,000 families who have made their home on or next to the disused tracks.

Government officials say the renovated rail links will reduce cargo transportation costs, which should have a knock-on effect on consumer prices.

Human rights groups say the families slated for eviction are receiving paltry compensation and are being moved to out-of-the-way relocation sites where work is

scarce.

The 200-plus families in Pur Senchey district that attended the meeting on Friday are living on about 100 hectares of land, which the government wants to turn into a railway station.

"If the government recognizes the ownership by the people, the government has to compensate them at the market rate," said Eang Vuthy, spokesman for Equitable Cambodia, one of the NGOs helping the families fight for their rights.

At the meeting, the families were told that the land they live on belongs to the state.

Also on Friday, the ADB released a legal brief—prepared by the Cambodian law firm Honest and Balanced Services (HBS)—backing up the government's claim to ownership of the land.

Under the 2001 Land Law, families who can prove they were living on a plot of land for at least five years before the law took effect can apply for ownership titles.

In its brief, HBS claims that the

land in dispute is state public property, and under the Land Law ineligible for private ownership. It claims the law also nullifies any possession of state land whether it was occupied before or after the land law took effect.

"Therefore it is very clear from the Cambodian law discussed above that the occupants of the land are not entitled to any possessory or ownership rights over the land," HBS said.

David Pred, an adviser to Equitable Cambodia, said the HBS brief did not challenge the legal case NGOs made on behalf of the families in January.

"It [the land] has been residential and rice-farming land since the early 1980s," Mr. Pred said by email. "It would be contrary to the general legal principles of reasonableness and fairness for the state to acquire land for the public interest from people who had an interest in it without giving them proper notice. We have seen no evidence that any such notice was given be-

fore 2005, and by that point they had already acquired ownership of the land through legal possession under the provisions of the 2001 Land Law."

Samraong Krom commune chief Yun Yan, who attended Friday's meeting along with officials from the Ministry of Finance, Ministry of Public Works and Transportation, and the ADB, said the bank was in the process of re-evaluating the current compensation offer: \$12.50 per square meter for families living on the land before 2005 and \$2.50 per meter for families who came after.

Meas Savy, whose family moved to the site in 2004, said she was open to vacating the land, but she would need more money.

"I don't mind moving as long as they give me the fair market price. I know the government needs the land to develop," she said. "At least they should give me enough to buy the same size of land, or give us land maybe 100 or 200 meters away from here."