

A CAMBODIAN GUIDE TO DEFENDING LAND AND HOUSING RIGHTS

Volume I

*Rights, Laws and Strategies for Cambodian Communities
Facing Forced Displacement*



Part I Your Rights Under International Law

Facilitators' Edition



INTERNATIONAL
ACCOUNTABILITYPROJECT

CENTRE ON
HOUSING RIGHTS
AND EVICTIONS



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A Cambodian Guide to Defending Land and Housing Rights
Part I: Your Rights Under International Law – Facilitators' Manual

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FOREWORD

Forced evictions and displacement of people and communities are on the rise around the world. Many contemporary cases of forced evictions constitute a gross violation of human rights and indicate a systematic disregard of recognized human rights standards on the part of States. Forced evictions and displacement occur in countries worldwide, including both democratic and authoritarian states. Many are so-called development-based evictions, which include evictions often planned or conducted with the justification or under the pretext of serving the “public good.” These evictions may be linked to slum-clearance, large-scale infrastructure or other development projects, and land-acquisition measures associated with urban renewal, city beautification, large-scale acquisition of forest and agricultural land for food and bio-fuels production or other land-use programmes. Evictions are also on the rise due to the reluctance of States to control speculation in housing and property.



Above all, the impact on those affected can often be characterized as a human tragedy. In the wake of forced evictions, people are often left homeless and destitute, without means to earn a livelihood and, in practice, with no effective access to legal or other remedies. As a general rule, forced evictions affect the poorest, the socially and economically most vulnerable and marginalized sectors of society. Wherever forced evictions take place, discrimination seems to play a critical role. Minorities, including indigenous people, are often more likely to be evicted. Forced evictions intensify inequality and social conflict, contributing to segregation and the creation of “apartheid cities and villages.”

Most of these “development-based” evictions have one or several common features that contravene recognized human rights standards. Lack of prior notice, inadequate or no consultation, absence of information-sharing, no possibility of participation in the decision-making process for those affected, lack of housing alternatives and the use of excessive force to carry out evictions are disturbing trends.

Women suffer particularly as a result of forced evictions and as a consequence not just from loss of home, but also livelihoods, relationships and support systems they were used to, breakdown of kinship ties, physical and psychological trauma and even increased morbidity and mortality. Of serious consequence is also the fact that evictions increase the vulnerability of women to further acts of violence.

Faced with such a disturbing scenario it is clear that interventions at all levels are necessary to create a world where displacement is minimized. These interventions need to adopt an uncompromising human rights approach that insists on the implementation of internationally recognized human rights such as the right to adequate housing, food, health and water. Alongside the protection of these human rights we also need to insist

on the protection of people's rights to security of the home and person, to participation, freedom of expression and freedom from inhuman and degrading treatment.

This guide forms one such invaluable tool to counter forced evictions. This resource is a first of its kind in that the curriculum has been designed especially for and with grassroots community organizers and activists – for them to share with communities at risk of eviction.

This resource is an important step in taking the human rights that we struggle for at the international level and bringing these rights and information to the communities who need it most. The Guide is a valuable tool of human rights education and learning. When communities confronted with evictions understand their human rights, they can devise ways themselves to challenge the violation of their rights. The Guide creates – in a step by step manner – the space that is necessary for the empowering process that can lead to communities claiming their rights.

In the global struggle underway against forced evictions, I welcome this Guide and hope that it will be used widely across Cambodia. I also welcome the Guide as a reaffirmation of the powerful role that human rights like the right to adequate housing can play in restoring dignity to those whose lives and homes are threatened by the insecurity generated by impending evictions. If the struggle against evictions is realized through the strategies created by people themselves, as the Guide so eloquently strives for, then that is the best affirmation of the potential of the dignity of the individual and the collective identity of a community. The progress made by the adoption of this Guide at local levels will be watched closely across the world. I hope that such efforts can be taken up by the thousands of communities facing the threat of evictions across the world.

Miloon Kothari

Special Rapportuer to the United Nations on the Right to Adequate Housing, 2000-2008

New Delhi, 31 September 2009

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INTRODUCTION

Around the world, millions of people have been displaced from their homes, farms and forests to make way for development projects such as dams, plantations, mines and new buildings. Sometimes the projects are for the benefit of the country, but often the main benefits go to the powerful individuals and companies that take the land. Frequently, the people living on and using the land are not given an opportunity to participate in the decisions about whether the development takes place and how they will be affected.

Instead, intimidation and violence are often used to force people from their homes and land. People may be left homeless or landless and without access to livelihoods, education and healthcare. When forced displacement occurs, the rights of affected people are not respected.

People around the world are joining together to resist the injustices of forced displacement. We are a part of this growing movement of people and organizations that are working to defend the rights of those facing forced displacement. We are working to make governments and companies listen to the voices of the people. We believe that everyone should benefit from and make decisions about development, and that development should not make people worse off or destroy their way of life.

The *Cambodian Guide to Defending Land and Housing Rights* is designed to be a useful resource for people who are facing displacement as a result of development. It can help people learn about the risks and dangers of displacement, as well as their rights, and the strategies that they can use to protect those rights. It contains information on many different topics related to forced displacement. It also includes activities that help people understand the information, take part in discussions, and learn important skills, even if they cannot read or write. This way, everyone can participate in planning what actions they will take to defend their rights and those of their neighbors.

We hope that the information, strategies and stories in this Guide will help you and your community in your struggle. We have written this Guide with a spirit of solidarity and hope. We believe that communities and peoples' movements are a powerful force for making change in our world. We sincerely hope this Guide will help strengthen a truly global movement to stop the injustice of forced displacement, and to defend your communities, lands and ways of life.

HOW TO USE THE CAMBODIAN GUIDE TO DEFENDING LAND AND HOUSING RIGHTS

The Cambodia Guide to Defending Land and Housing Rights has been designed and written so that it is accessible to communities, including those who have had limited access to education and have little or no knowledge of the subjects. The language used is simple and straightforward and the exercises used are interactive and enjoyable. Everything in this manual has been tried and tested with communities around Cambodia and the authors have considered all feedback and comments in revising and finalizing the lessons.

The *Guide* can be used by people who want to facilitate a training workshop and by people who would like to use it simply as an information resource. The *Guide* is made up of the Facilitator's Guide and the Participant's Guide. The Facilitator's Guide includes all the instructions and everything else you need to run a training session. The Participant's Guide contains only the information on each topic, without the Facilitator's instructions. It is useful to provide copies of the Participant's Guide to the people who attend your training, or it can be used as a stand-alone resource.

This module explains the basics on how to use the *Guide* and how to organize and deliver a community training.

1. ORGANIZING A TRAINING

First, you will need to organize the training workshop. It is important that everything – from the venue, to the selection of modules you will be teaching – is prepared well in advance, and that you are organized. If things do not run smoothly, the training will not be as effective. When organizing a training workshop you should consider the following points:

1.1. BOOKING A VENUE

It may be possible to teach in the community, or you may need to find or hire a room to hold the training. Make sure the venue is quiet and bright and has enough space for all the participants to work comfortably. Make sure that you have decided on and booked the venue at least two weeks before the training.

1.2. PARTICIPANTS

You will need to decide who should participate in the training. It may be people from one or more communities threatened with eviction, members of a community network or people from NGOs. You may even decide to teach government officials or company employees. Think about who will benefit from the training. You should also consider who will be able to attend and stay for the whole training. Think about how many people should participate – usually an ideal number of Participants is between 15 and 25.

Try to make sure that you have a good mix of Participants. There should be equal numbers of men and women, and sometimes it is a good idea to have mixed age groups, as people have different experiences to share. If you are training in an area that has a number of ethnic groups, for example Cham or indigenous minorities, it is important to involve people from these groups in the training and ensure that everyone is treated equally.

1.3. NOTIFICATION AND INVITATIONS

Make sure you inform all Participants about the training dates well in advance. When the date gets closer, send reminders.

1.4. PARTICIPANTS' SITUATIONS

Try to find out what specific problems the Participants are experiencing and what their stories are. This way you can decide which sections of the guide are most important to teach. It is also a good idea to ask a few community representatives what topics they think would be most useful.

1.5. AGENDA

Once you have the information about the Participants you will need to prepare an agenda. This sets out the plan for each day of the workshop. Make sure you have enough time to teach the lessons you have selected. Make sure you also include time for breaks, meals and energizers (explained below).

1.6. INFORMING AUTHORITIES

Think carefully about whether it is necessary to inform the local authorities of your plan to conduct a community training.

1.7. PARTICIPANT'S GUIDE

At the end of the training it is a good idea to provide the Participants with all the information that you have covered. To do this, you will need to photocopy the relevant sections of the Participant's Guide.

1.8. BE PREPARED

Make sure you are familiar with the material that you will teach, and make sure that before the workshop starts, you have all the materials that are necessary for each lesson. If there are other Facilitators, make sure you have decided who will be responsible for each lesson and activity.

TRAINING CHECKLIST

Before conducting a training, make sure that you do the following:

Organize a venue ☒

Decide who the Participants will be and how many will attend ☒

Invite the Participants well in advance, and send a reminder closer to the date ☒

Learn about the Participants' background, situation and which topics they are interested in ☒

Choose the modules you will teach and make an agenda ☒

Inform the authorities, if you think it is necessary ☒

Photocopy relevant parts of the Participant's Guide ☒

Prepare the materials, for example, paper, pens and handouts ☒

Revise the lessons so you feel confident to teach them ☒

2. STARTING A TRAINING

On the day of the training arrive at the training space or room early to make sure everything is ready. Arrange the materials neatly so that you can access them easily when you need them during the lessons. If tables and chairs are available think about how you would like them to be arranged. Sometimes it is a good idea to arrange the tables in a circle so that everyone can see each other and no one has to sit behind someone else. This will help the training be more interactive because everyone will feel included.

Once the Participants arrive and sit down, the first step is to introduce yourself to the group and give Participants the chance to introduce themselves. This is done at the beginning of almost all trainings and workshops. In order to start the training in an interesting way, try to keep the introductions short, or try to make them into a game or fun activity. This can be very simple such as asking everyone to say their names, where they are from and their favorite food or song.



It is also a good idea to start the training by explaining the main objectives of the workshop to the Participants. You may also want to explain the rules of the training, for example, everyone should turn off mobile phones, everyone should be considerate of other people, there should be no discrimination, and everyone should have a chance to speak. You can also ask the Participants about their expectations for the workshop. You may ask a few or all Participants to name one thing they expect or hope to learn during the training. You can come back to these expectations at the end of the training to see if they were met.

3. INTERACTIVE TEACHING

The most effective methods for teaching any information are interactive, based on active participation, and focus on the Participants, rather than the Facilitator. These techniques help people to learn faster and remember more than if they are taught using traditional methods, like lecture.

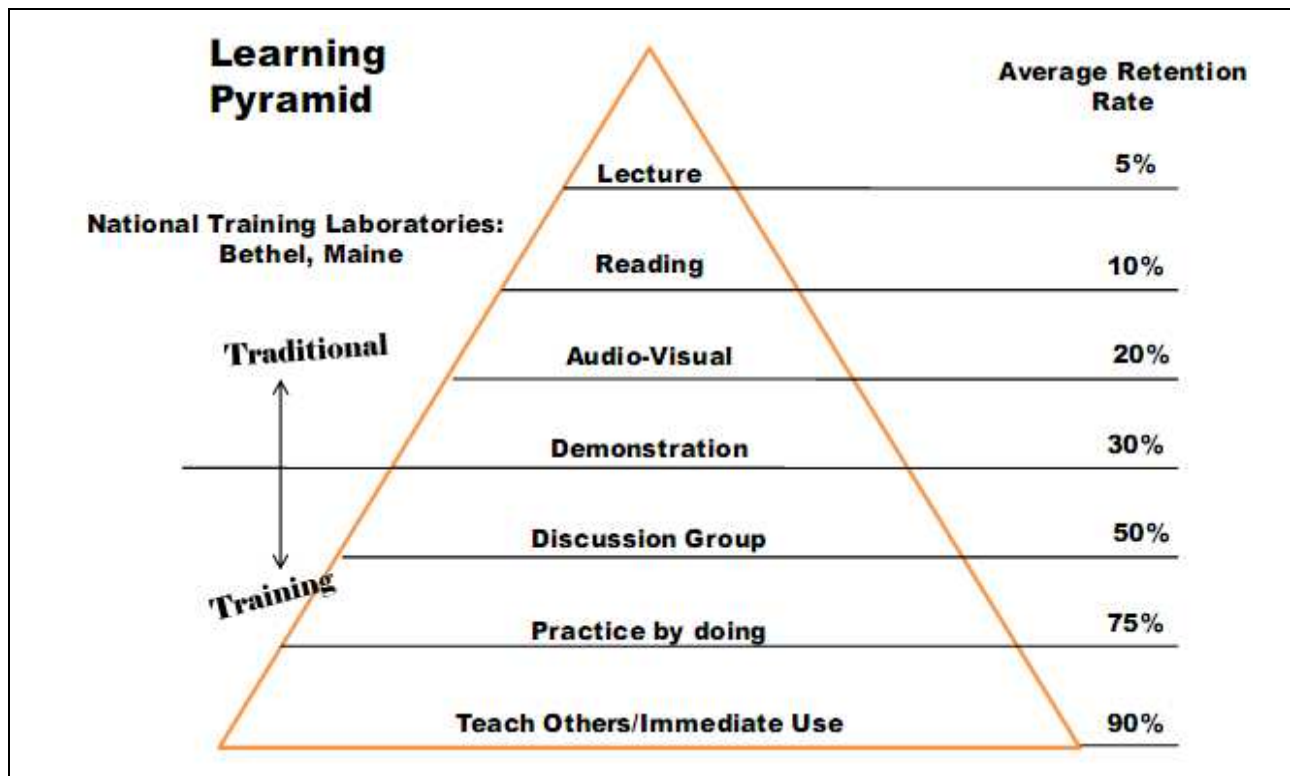
There have been many studies and experiments which have shown that the amount and quality of the information that Participants remember depends on the teaching methods used. Research has shown that the lecture style of teaching is less effective for passing on knowledge to Participants. Examples of interactive methodology include:

- Role-play
- Demonstrations
- Stories
- Group discussions

One of the best ways for you to improve your understanding of new information and skills is to teach it to others. By teaching others, you will gain a better understanding, know how to explain things using simple language and be able to show how the information and skills can be used. Community trainings are a two-way learning process. As you teach, the Participants learn, and you will also become more confident and increase your understanding of the issues you are teaching. You will also have a valuable opportunity to learn from the experiences and stories of the Participants.

HOW MUCH DO PARTICIPANTS REMEMBER ONE YEAR AFTER LEARNING?

- If lectures are used Participants remember approximately 5%.
- If Participants read the information they remember approximately 10%.
- If audio-visual methods are used (a video or PowerPoint) Participants remember approximately 20%.
- If Participants watch a demonstration they will remember approximately 30%.
- If Participants discuss issues in small groups they will remember approximately 50%.
- If Participants are shown a demonstration and then practice it themselves they will remember approximately 75%.
- If Participants teach others they will remember approximately 90%.



4. TEACHING METHODS

There are many different teaching methods that can be useful for teaching in communities. These methods are aimed at making those attending the workshop *active participants* and not passive observers. These methods recognize that Participants always come to training workshops with knowledge and experience from their own lives and that they have much to contribute to the learning that will happen in the room. Below are some examples of interactive teaching methods.

4.1. BRAINSTORMING

Brainstorming is a way of allowing Participants to think freely about ideas. There are usually no right or wrong answers, and Participants are able to express their ideas freely.

During brainstorming on a particular topic, Participants might be asked questions, for example, “What are the different ways to teach?” Participants then think of as many different ideas as they can, and these should be written or drawn on a whiteboard or flipchart. Everyone’s ideas can then be discussed.



4.2. SMALL GROUP DISCUSSIONS

Small group discussions should be planned carefully. The Participants should be given clear rules and instructions and should be allowed enough time for discussion. If possible, the groups should usually not have more than five Participants so that everyone has a chance to speak.

4.3. CASE STUDIES

Case studies are stories or a description of an event that can be real or made-up and can be used to help understand how information and skills can be applied. Case studies can be used during group discussions to help Participants analyze and think critically about how to use new information and skills in practice.



4.4. ROLE-PLAYS

In role-plays Participants (or sometimes Facilitators) act out a situation. Participants can either be given the situation through a case study or they can be asked to make it up themselves. Different objects that can be found around the training area can be used to make role-plays more fun. Role-plays are useful because Participants are able to be creative, which will make them feel more involved in the lesson, and keep them active and interested.

4.5. QUESTION AND ANSWER

A discussion through questions and answers can often be used instead of lecturing. This way everyone is talking and needs to think carefully about the issues, not just the Facilitator. Participants almost always know some information about the issue or the subject that is being taught and how it relates to their lives. Good Facilitators will draw out the knowledge and experience of Participants and build on it. Asking polite questions to quiet Participants can be a good way to encourage them to speak and get more involved.

A good way to start teaching a new topic is by asking the whole group some basic questions on the subject. This way you will find out what everybody already knows. Asking questions at the end of the lesson is also a good way to check that Participants understood and that the learning objectives were achieved.



4.6. GAMES

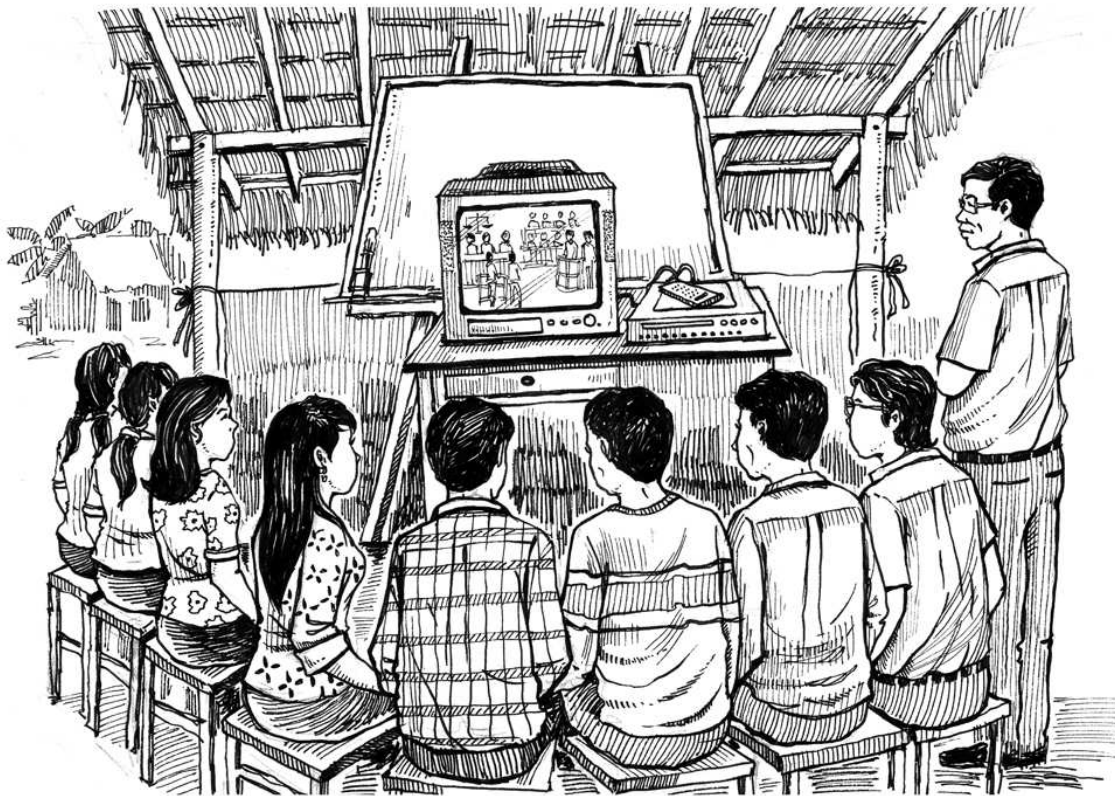
Games are a fun way for both adults and children to learn. Games may be used as ‘ice breakers’ which are fun activities you may use to help Participants to get to know each other and become more comfortable with each other. Games are also often used as ‘energizers’ to refresh people when they are feeling unfocused or sleepy between lessons. Games can also be used to teach more difficult topics, such as the law, and to help people remember new information. Games might involve teams and competitions but be careful not to embarrass anyone if they do not know the answers to questions. It can be more encouraging if everyone wins!

4.7. PARTICIPANT PRESENTATIONS

Participants can be given a topic, case study or question to work on in small groups and then present to the rest of the class. Groups can be asked to prepare and present drawings, songs, role-plays, plans, ideas, or answers to questions. Presentations can be made by the whole group, or a group spokesperson can be chosen to present. Afterwards, all the Participants (both presenters and observers) can discuss the presentation.

4.8. VISUAL AIDS

Objects, photographs, pictures, drawings, posters and films are all examples of visual aids. Visual aids help focus Participants' attention and are an effective way to bring real life experiences from Cambodia and around the world into the training room. Visual aids are also helpful in expressing ideas, concepts and plans. Participants can be asked to describe and analyze what they see, and apply or compare it to their own experiences and other situations. Visual aids such as films can be especially useful in demonstrating how new skills can be applied. Good and bad examples can be shown and analyzed. (Remember that the same thing can be done using role-plays.)



Many community groups, NGOs and United Nations agencies have produced videos on legal and human rights issues in Cambodia. If you have access to electricity and equipment you can contact these groups and ask if they have any videos you can use in your community training.

4.9. SONGS

Most Cambodian people love to sing and dance. You can use this in your training workshops. Sometimes you may want to have a break from the lessons and have a song or dance session just to wake people up. You may also use song to teach. After teaching a topic, you could ask Participants to make up a song about it. If this can be done using a popular tune it will make it easy for people to remember the things they learned.



PARTICIPANTS WITH READING DIFFICULTIES

Sometimes there will be Participants in your training workshop that have difficulties reading and writing. You need to be aware of this, although it is not a good idea to ask Participants in front of everyone else if they can read and write because this could embarrass them.

Many of the exercises involve case studies and other methods that require some reading and writing. If there are Participants who will find this difficult, there are a few things you can do. One option is to make sure there is one member of each group who can read and write so that they can read out case studies or questions and write down ideas or answers for the rest of the group if necessary. If there are not enough Participants who can read, you or another Facilitator can read out case studies and help groups to record their answers. You can also think of other ways that groups can record ideas and answers such as through drawings or simply by remembering them.

All activities in the *Guide* can be easily adapted in this way so that all Participants, including those with reading difficulties can be actively involved.

5. LESSON PLANS

A lesson plan is like a road map. If we want to travel somewhere, but are not certain of the correct route, we can use a map. We will look for the start point and our destination, but also the points we need to pass along the way. A lesson plan works in a similar way. The start point is the aim of the lesson, and the final destination is achieving that aim. But to get to this destination, there are steps that you must take to get there.

The lesson plan used in the *Guide* has eight parts. First is the **learning text**, then the **lesson** which is broken into seven smaller parts. These are: the aim, materials, methods used, procedure/time box, instructions to Facilitators, suggested answers, and debrief. Below is a brief explanation of the purpose of each of these sections.

5.1. LEARNING TEXT

The learning text contains the information about the topic that is being taught. For example, if the lesson is about human rights, the text will include information about what human rights are, where they come from and give some examples of different human rights. Usually the text will also include pictures about the information. The learning text is followed by the exercise instructions.

5.2. LESSON

5.2.1. AIM

The Aim is what the Participants should learn or understand by doing the lesson.

Example:

AIM: Participants will think about what human rights are, where they come from and why it is important to know about them.

5.2.2. MATERIALS

This is a list of things that are needed to teach the lesson. You should make sure that you have all of the items ready before starting the lesson.

Example:

MATERIALS: Flipchart or whiteboard, markers, ball, copies of Handout 1.

5.2.3. METHODS USED

This is a list of all the interactive teaching techniques used in the lesson.

Example:

METHOD(S) USED: Brainstorming, large group discussion, drawing.

5.2.4. PROCEDURE/TIME BOX

The left column of this box contains a list of the procedures you should follow to run the lesson. The right column of the table indicates the amount of time required for each step. The total time needed to complete the whole lesson is shown at the bottom. This box is very useful for preparing the workshop agenda.

Example:

Procedure	Time Frame (in minutes)
1. Brainstorm and group discussion	15
2. Introduce the information in Sections 1 & 2	20
3. Small group work	15
4. Group presentations	20
5. Debrief	10
Total:	80

5.2.5. INSTRUCTIONS TO FACILITATORS

This part of the manual explains in detail how to carry out all the stages of the lesson, as set out in the procedure table. It includes tips and advice that will help you to deliver the lesson effectively.

5.2.6. SUGGESTED ANSWERS

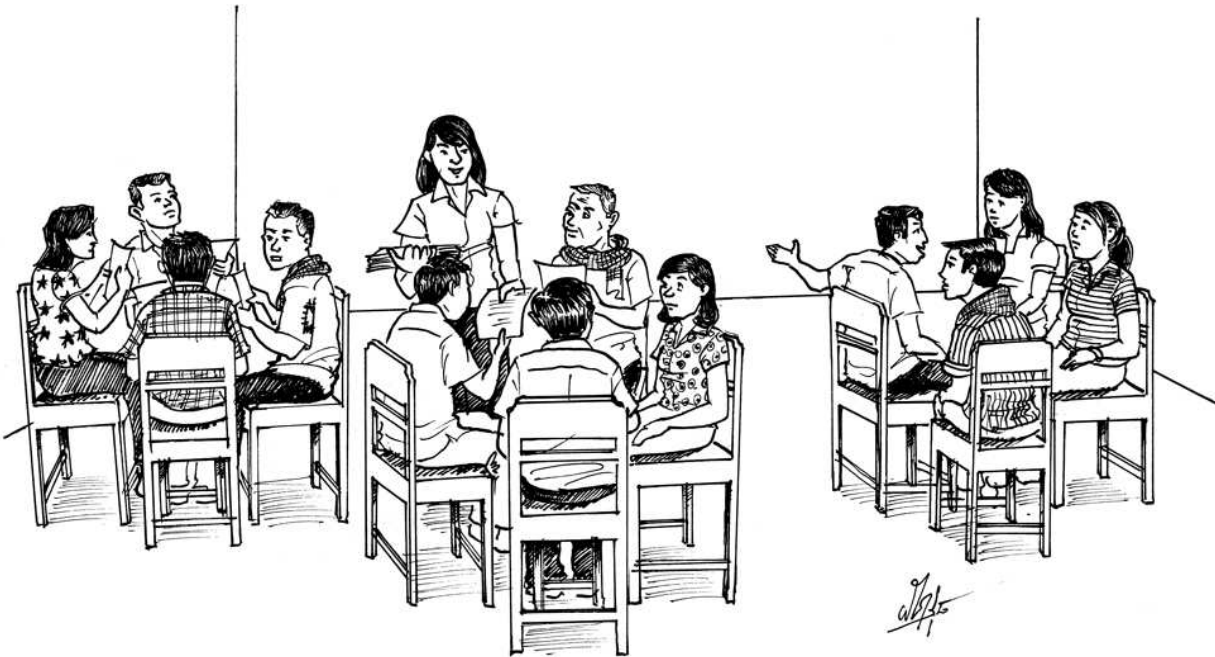
If there are questions in the lesson that ask for information rather than opinions, suggested answers will be included.

5.2.7. DEBRIEF

The goal of this section is to evaluate whether the Aim of the lesson was achieved. It is very important that you do not simply summarize the information contained in the lesson, as this will not allow you to check whether or not the Participants learned the main points. You can check whether the Aim was achieved by using activities such as questions and answers, by asking Participants to summarize the lesson, or by using fun games such as quizzes.

6. FACILITATION SKILLS

As a Facilitator there are many different things to think about, including the lesson content, exercise instructions, and what materials are necessary. At the same time you must be aware of the way you behave and the way you present the lessons. It is important that Participants respect you and feel respected, and that they are comfortable to join in the exercises and contribute. Below are several tips on how to be a good Facilitator. This may be a lot to remember, but over time these skills will start to come naturally.



6.1. PREPARATION

If you know the lesson very well you will be more confident, you will be able to teach more clearly and Participants will have more confidence in your ability. It is important to be confident about the information that you are teaching, and also know what materials you will need and what instructions you should give to Participants.

Make sure that the venue, snacks, handouts, materials and any equipment you need is organized at least one week before the actual training.

6.2. TIME MANAGEMENT

It is important that you are flexible. If Participants find a lesson difficult you may need to take more time. If it is easy for them, or they are already familiar with the content then you may be able to go faster. However, if you have a busy schedule and many subjects to teach you will have to keep to the timetable as best as you can.

6.3. BODY LANGUAGE

Let the Participants know that you are enthusiastic and want to teach. It is important to stand up straight, move around the class as you teach. Make sure you look at all of the Participants – not at the floor, or out of the window, and not just at the Participants directly in front of you. Your body language should not make the Participants feel uncomfortable, for example, you should not point at people. If someone is answering a question, do not stand over them or look down at them. Instead, show interest and encourage them by giving praise and polite correction if necessary.

6.4. TRY NOT TO LECTURE

Sometimes lecturing can seem like the easiest way to teach new information. However, as discussed above, this is the least effective way to teach and learn. All the training methods described above are ways to teach the information without lecturing. If you find yourself speaking for too long, stop and ask some questions or introduce an activity. Lectures can often be turned into questions and discussions. This way, the Participants discover the information themselves, rather than just being told. This method may take longer but it will be much more interesting and effective for the Participants and you.

6.5. CHECK FOR UNDERSTANDING

Good Facilitators will check for understanding throughout the lesson. But, do not teach for one hour and then ask at the end “Do you understand?” You can check Participant understanding every few minutes by asking questions or asking for volunteers to summarize. Remember to not always ask the loud and confident Participants to summarize. It is important to check that the quieter Participants understood the lesson too.

6.6. ENCOURAGING THE QUIETER PARTICIPANTS

In every training there are quieter Participants who feel shy or may have some difficulties in learning. In some cases women or people from minority groups are quieter and do not try to answer questions, even though they have something to say.

It is very important to try to make these quieter Participants feel comfortable and relaxed by smiling at them and giving them more attention, without making them feel embarrassed. You can try to encourage them to answer questions or be the spokesperson for their group and give them plenty of praise when they do so. It helps to give the quieter Participants extra attention in the breaks as they might feel more comfortable talking about what they learned or asking you questions one-on-one.

6.7. BUILD A GOOD RELATIONSHIP WITH THE PARTICIPANTS

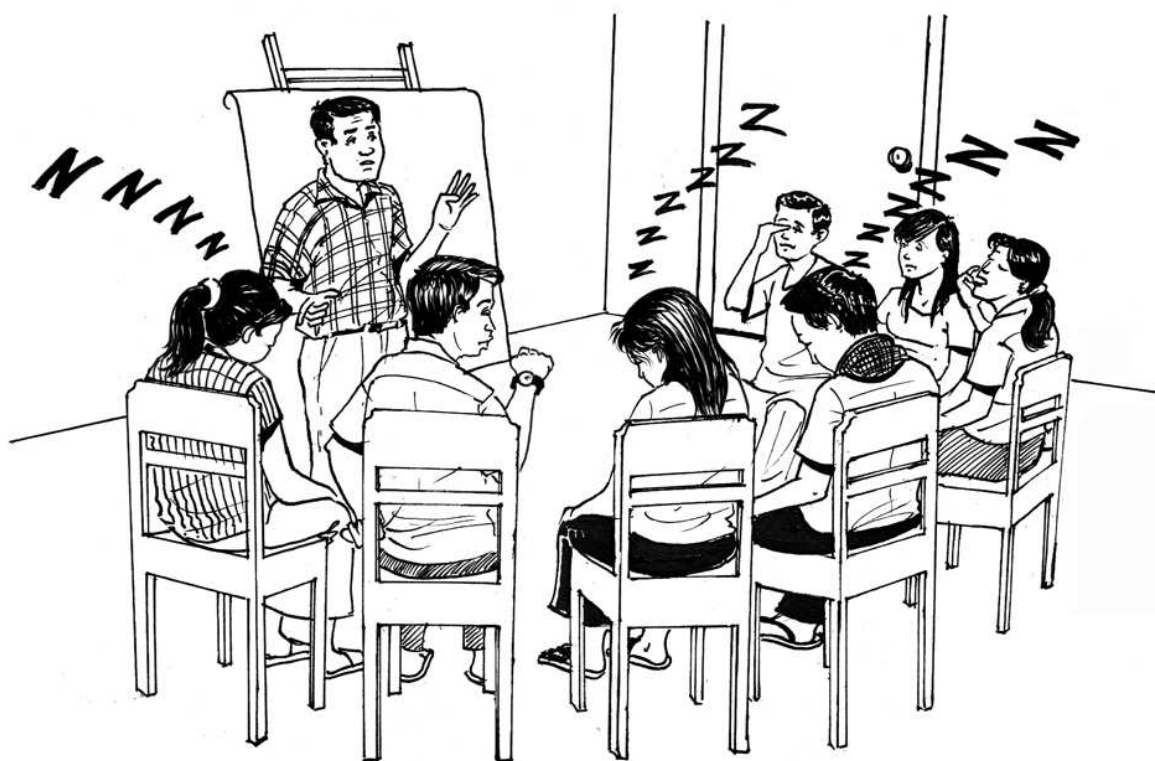
Try to develop a friendly relationship with Participants. You can do this by:

- Greeting them as they enter the training room;
- Calling them by their name;
- Asking them questions about themselves and telling them something about yourself;
- Encouraging the Participants to become involved in the lessons;
- Talking to them on a one-on-one basis before and after lessons and during breaks (especially some of the quieter Participants);
- Giving Participants a chance to share personal stories;
- Joining Participants for lunch; and
- Praising good work and good contributions and encouraging Participants who are shy or find learning more difficult.

6.8. ENERGIZERS

It is important that you keep the Participants interested. If Participants are not interested they will not listen well, and they will not remember what they have been taught.

A way to avoid this problem is to do short “Energizer” exercises between lessons, or whenever you feel that Participants are getting tired or losing interest. You may often need to do energizers towards the end of the day, or just after lunch when Participants are feeling tired. Energizers include songs, dances, games, stories, and any other activities which get the Participants to move around and have fun.



7. EVALUATIONS

After training, it is important to find out how the Participants felt about the training. This is done through evaluation. Evaluations can be done in a number of different ways and can be conducted at different times. The best time to evaluate is usually at the end of each day of training. Sometimes it is also a good idea to evaluate the training several weeks or even months later, this way you can check what the Participants have remembered.

You can conduct evaluations by simply speaking with Participants and asking questions. This can be done with the whole group or with a smaller focus group. This may be useful if Participants are illiterate. Another useful way to evaluate is by handing out evaluation forms.

Either way you should ask the following questions in the evaluation:

- Did you understand the lesson?
- Was the information useful?
- Which lessons were most useful and which were least useful? (You can also ask Participants to rank the lessons.)
- Did the Facilitator do a good job?

By asking these questions, you will be able to adapt and improve for future trainings.

In addition, trainers and observers can evaluate the training by making their own notes on how successful they thought the exercises were and how well the Participants appeared to understand.

8. KEEPING RECORDS

Finally, it is important to keep records when you conduct training. It is useful for yourself and also useful to share with others if you are a member of a network or working at an NGO. After a training you should record:

- Who you have trained (including how many men and how many women);
- Where you held the training (province, district, village, and venue);
- Which topics you taught;
- How you think the training went (for example, did Participants understand the lessons? Were the lessons enjoyable?); and
- What response you had from the Participants (positive or negative evaluations).

DEVELOPMENT AND DISPLACEMENT

OUTCOMES

After completion of this module, participants will:

1. Know the difference between inclusive and non-inclusive approaches to development.
2. Understand that everyone should have a voice in deciding what kind of development happens in their community and country.
3. Know what forced displacement is and know some of the impacts it can have on people.
4. Understand why forced displacement and other negative impacts are much less likely to happen if there is inclusive development.

1. DEFINING DEVELOPMENT

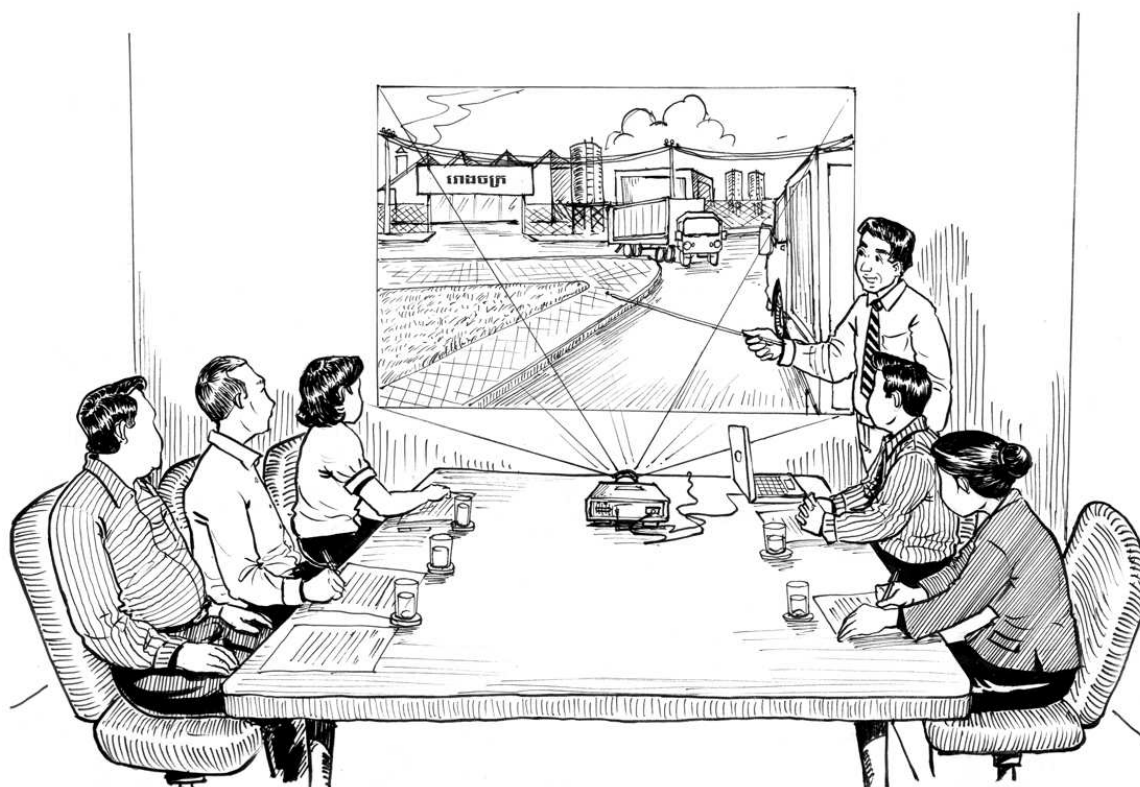
We all have ideas for ways we can improve living conditions in our communities. For example, maybe in your community, people would like to build a new school or a better health clinic. Maybe there are some roads that need to be repaired or wells and pipes that need to be built to improve access to clean drinking water. Maybe members of your community are interested in a new job training program or developing irrigation systems to provide water for crops and animals during the dry season.



These are all examples of ideas for **development** of your community—ways to improve quality of life, opportunity and well-being. Different communities and individuals will have many different ideas about what good development means to them.

Government officials, companies, and other groups may have different ideas for development. For example, sometimes governments and companies declare that big projects—such as roads, mines, hydropower dams, or modern buildings—are necessary for the development of the whole country.

Sometimes these big projects can have negative impacts on local communities. If local people say they do not want these projects, they are often told that they are opposed to the development of their country.



But are these projects always really *development*? What happens if you disagree with a proposed development project because of the harm it will cause? Who should decide what kinds of projects and policies will be best for the future of your communities and country?

There are many different ideas and models for development, so there is no single definition or type of project that is *development*. The decisions that are made about the development of one area will have a big impact on the lives of all people in that area. For this reason, everyone should have a voice in defining what kind of development happens in their community and their country.

LESSON 1: WHAT DOES DEVELOPMENT MEAN TO YOU?

AIM: Participants will think about what development means to them and ideas for development of their community. They will also think about development plans of the government and companies and how these are similar or different to their own ideas.



MATERIALS: Whiteboard or flipchart, markers.

METHOD(S) USED: Silent brainstorm, discussion, group drawing, presentation, question and answer.

Procedure	Time Frame (in minutes)
1. Silent brainstorm	5
2. Explain step 1 of the exercise	5
3. Group discussions and drawings	15
4. Introduce the information in Section 1	15
5. Explain step 2 of the exercise	5
6. Group discussions and drawings	15
7. Group presentations	20
8. Debrief	10
Total:	90

INSTRUCTIONS TO FACILITATOR

1. SILENT BRAINSTORM:

- Start by asking the Participants to close their eyes. Then say:

"Think about your community - your family, your neighbors and all the people in your village. Think about what they do in their daily lives, their hopes and their concerns. Also think about your home, your land, the houses nearby and all the nature and buildings your community uses and enjoys."

Tell the Participants to keep their eyes closed. Very slowly, pausing between each question to give the Participants time to think, ask the following:

1. What are some projects you can imagine that would help improve people's lives in your community? What types of things would help your family and community members to be healthier, happier and to have more opportunities?

(Pause)

2. There are many different possible kinds of projects. Maybe you are thinking about education for children, or about better food for families.

Maybe you are thinking about a project to improve healthcare, or maybe a new road to the market. Maybe you are thinking about a new job training program for adults and more job opportunities. It can be anything you think of! It could be something that is just for your community or something that helps the whole country.

What ideas do you have for projects that would improve the lives of your family and your community?

(Pause)

- Give the Participants a minute to think in silence, and then ask them to open their eyes.
- Tell the Participants that they will now have an opportunity to share and discuss their ideas.

2. EXPLAIN STEP 1 OF THE EXERCISE:

- Explain to Participants that they will divide into small groups. They will have 15 minutes to discuss their ideas about improving their community and draw a picture that represents those ideas.

- Tell the Participants that each group will have a large sheet of paper and they should divide the paper in half by drawing a line across it. Ask them to draw their ideas for their community's development on the top half of the paper. Make sure that people leave the bottom section of the paper empty as they will use this later.
- Divide the Participants into small groups of no more than five people. Give each group a big sheet of paper and markers.
- Remind them that they have only 15 minutes, and to make sure everyone in the group has a chance to speak and draw.

3. SMALL GROUP DISCUSSION AND DRAWINGS:

- Walk around to the groups to make sure the Participants understand what they need to do.
- When the Participants discuss and draw their ideas, encourage them to think of the things they imagined while their eyes were closed.

4. INTRODUCE THE INFORMATION IN SECTION 1:

- After the groups have finished drawing, ask the Participants to return to their seats so you can begin the class discussion.

Section 1 - It is important that Participants understand:

- People have many different ideas for ways to improve their community and how their community can benefit from development.
- Governments and companies may have plans for development that are different from local people's ideas about development.
- Everyone should have a say in what kind of development happens in their community and country.

5. INTRODUCE STEP 2 OF THE EXERCISE:

- Ask the Participants to think about what kinds of development projects are being promoted in their community and region by the government or by companies.
- Explain to Participants that they will divide again into the same small groups. They will have 15 minutes to discuss and draw the kinds of development projects being promoted by the government or companies.

- This exercise is not supposed to be all negative. If someone lives in an area where company and government development plans have considered the needs and opinions of local communities, make sure that they discuss this with the class.
- Participants should draw these pictures on the bottom half of their paper

6. SMALL GROUP DISCUSSION AND DRAWINGS:

- Remind the groups that they have only 15 minutes, and to make sure everyone in the group has a chance to speak and draw.
- Walk around the groups and make sure the Participants understand what they need to do
- Encourage the Participants to think of the different types of development projects of the government or companies that exist or that they have heard are being planned for their area.

7. GROUP PRESENTATIONS:

- When the time for drawing is over, ask all of the groups to stick their drawings up on the wall, where everyone can see them.
- Each group should briefly present their drawing to the rest of the Participants. They can present a few of the ideas they had for the development of their community, and they should also explain the kinds of development being promoted by the government and companies in their region.
- Remind the Participants that there are 20 minutes total for all of the presentations, and that each group should keep their presentation brief so that all groups have a chance to speak.

8. DEBRIEF:

- After all the groups have presented their pictures, ask the Participants what they think about the similarities or differences between their ideas and the ideas of government or companies.
- Ask Participants if they think all of these pictures represent *development* or if only some of them do. Ask them for reasons for their answers.
- Keep the drawings on display for the next exercise.

2. DIFFERENT APPROACHES TO DEVELOPMENT

When most people think about plans for development, they think about projects which focus on improving people's quality of life. This may include projects that help to support families, build homes, protect the environment, improve access to food, preserve culture and increase opportunities to learn and work. This might involve small projects within a community or it might involve big projects carried out by the government or companies.

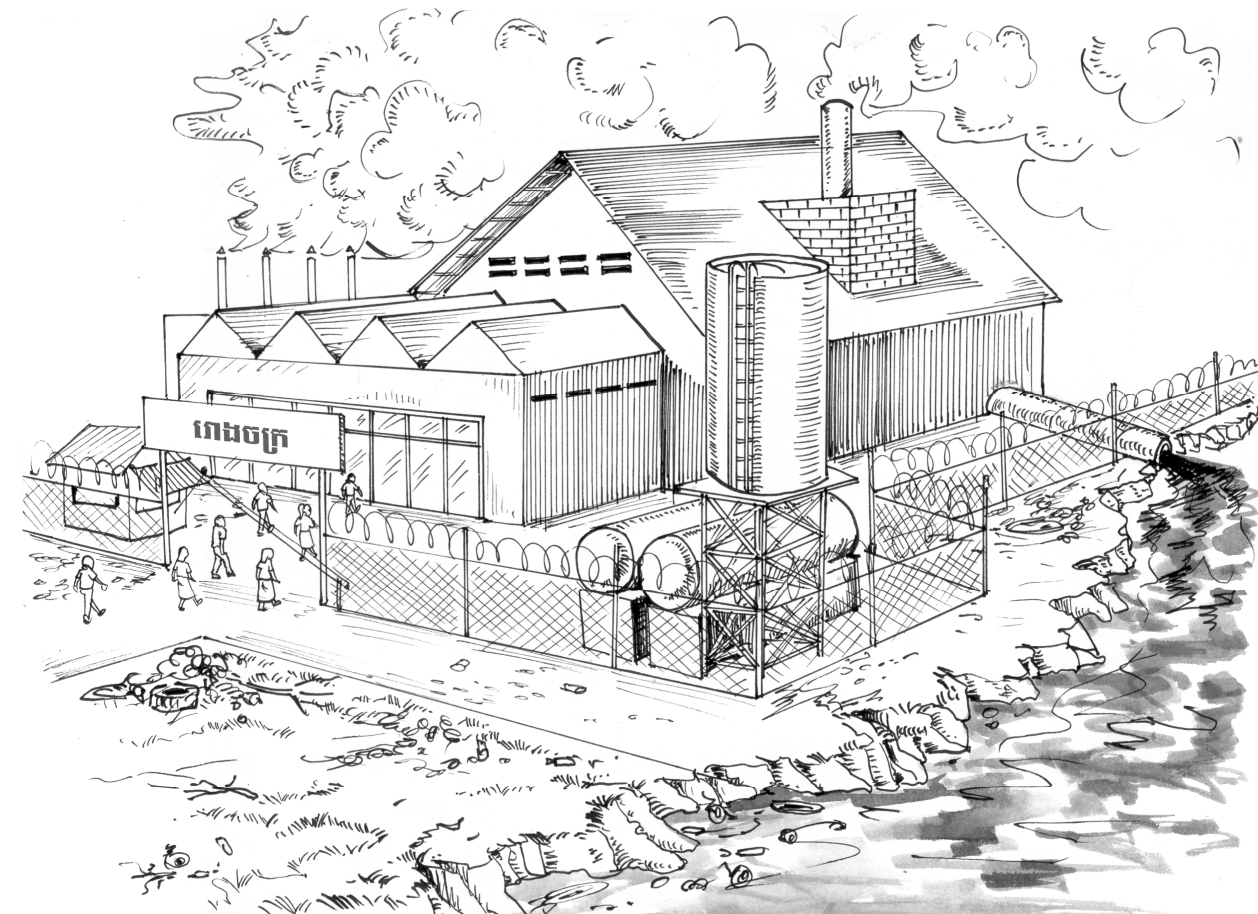
Sometimes development projects and policies can benefit some people but harm others. Good development projects include the ideas of all people who will be affected by the project and find ways to avoid causing harm when they are implemented.

For example, a company might decide to build a factory in a rural village to create jobs and make the country richer. However, the factory might also pollute a river that a neighboring community relies on for fishing. This project may benefit the people who get jobs in the factory but harm the fishing families from the nearby village.

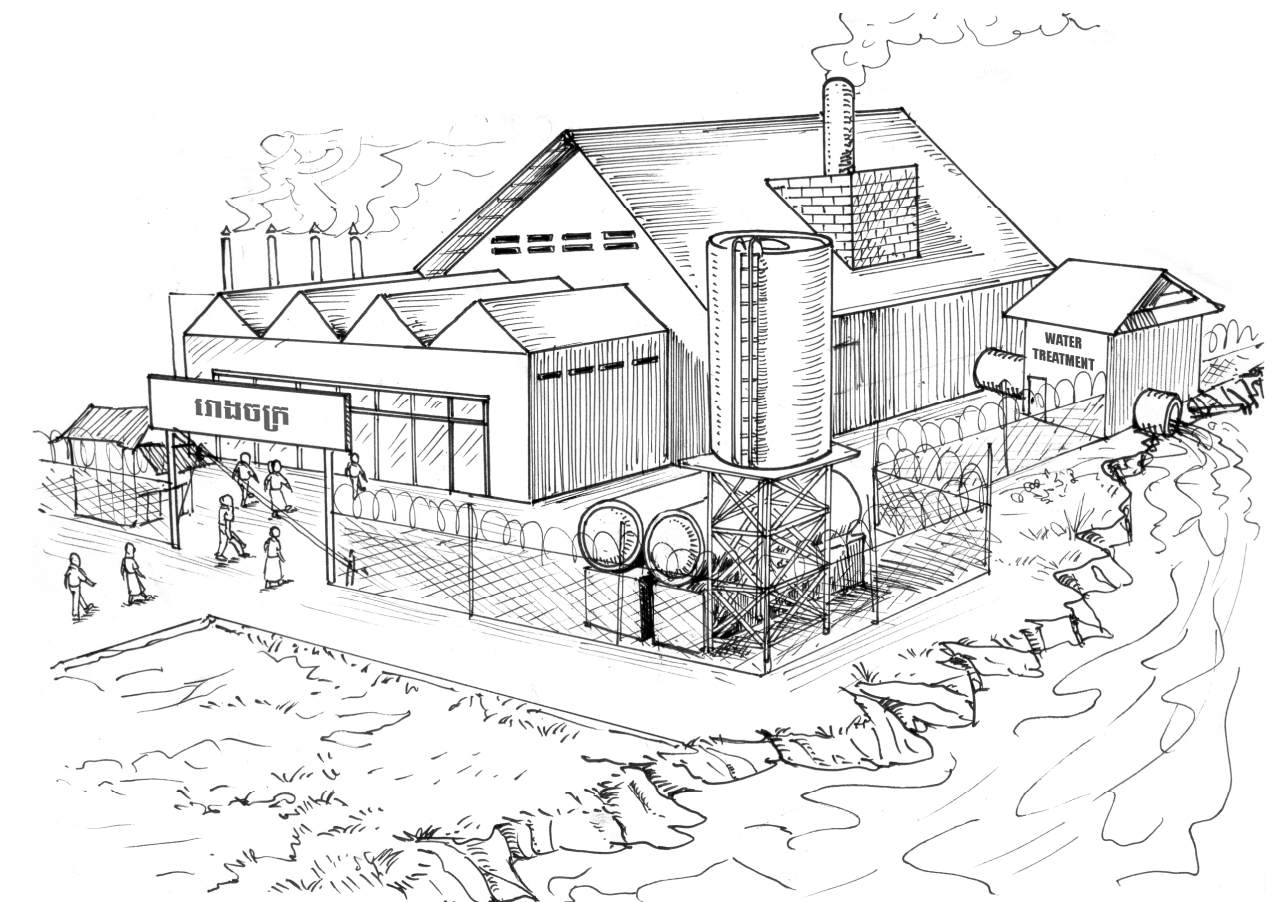
For the factory to be a good development project, the company will need to find a way to avoid polluting the river and causing harm to the nearby communities. Those responsible for the development will also need to talk to people in the fishing village and ask for their ideas about how to avoid harming their livelihoods and the environment.

This approach to development is called **inclusive development**, because it *includes* local people in planning and decision-making and focuses on directly improving the lives and opportunities of local people.

Unfortunately, around the world, there are many development projects that are **non-inclusive** because they have not taken local communities' ideas and problems into account. These projects can involve taking natural resources away from local communities, or forcing people to move from their homes so that more modern buildings can be built. These are often projects that local communities have no involvement in, and instead of solving their problems they often create new ones. These projects sometimes do not have much benefit for poor people, but mainly benefit people who are already rich and powerful.



Here the factory provides employment for local people, but also pollutes the river with untreated water. This has a negative effect on fishing families downstream who can no longer make a living because the fish have died.



In this case the factory owners are more responsible and they treat the waste water before it is pumped into the river. The factory continues to operate and the fishing community is also able to continue to make a living.

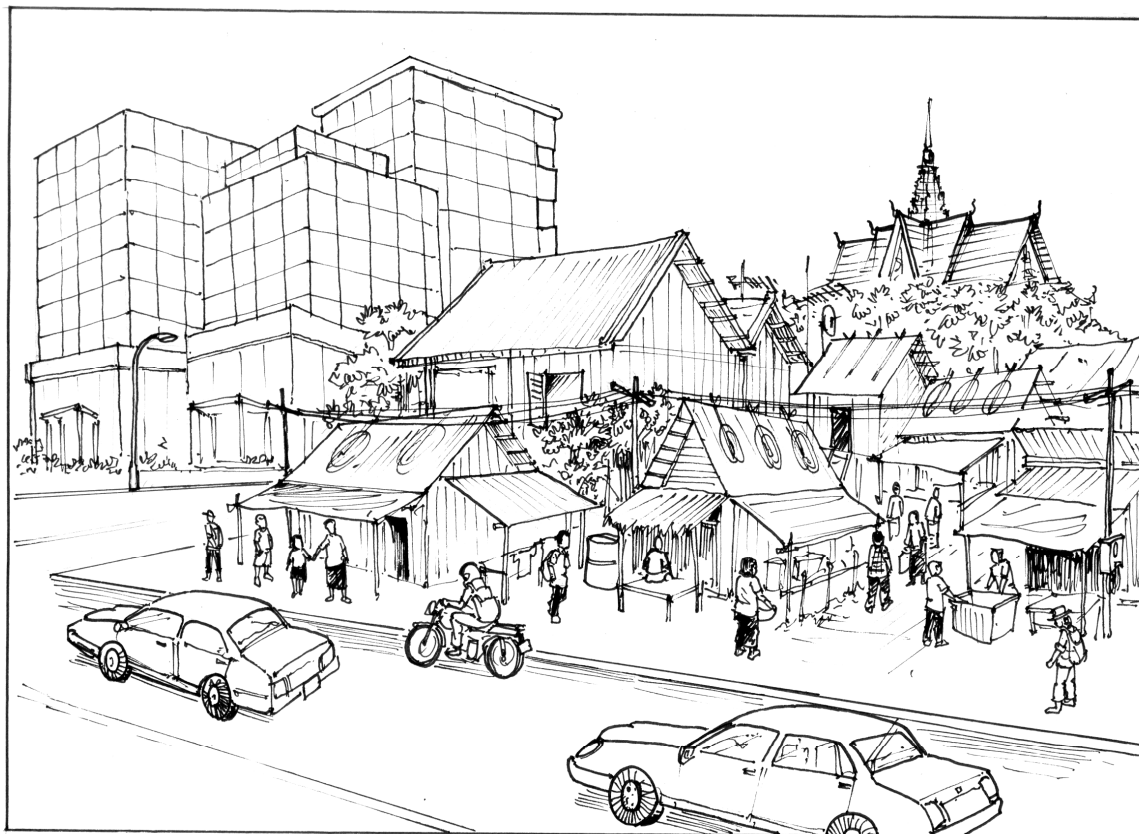
3. DEVELOPMENT AND FORCED DISPLACEMENT

One of the worst impacts of non-inclusive development is **forced displacement**. In the name of *development* people are sometimes evicted from their homes and forced to move out of the way. Many people around the world have become poorer due to forced displacement. This is because in addition to losing their homes, they lose access to the land or resources they depend on for many aspects of their lives, including their food and livelihoods.

When people are displaced, in addition to losing their homes, they often lose access to local resources and services. Lost resources might include forests, rivers and farmland. Lost services might include community centers, schools or health clinics. Displacement often leads to the breakdown of communities and social and support networks.

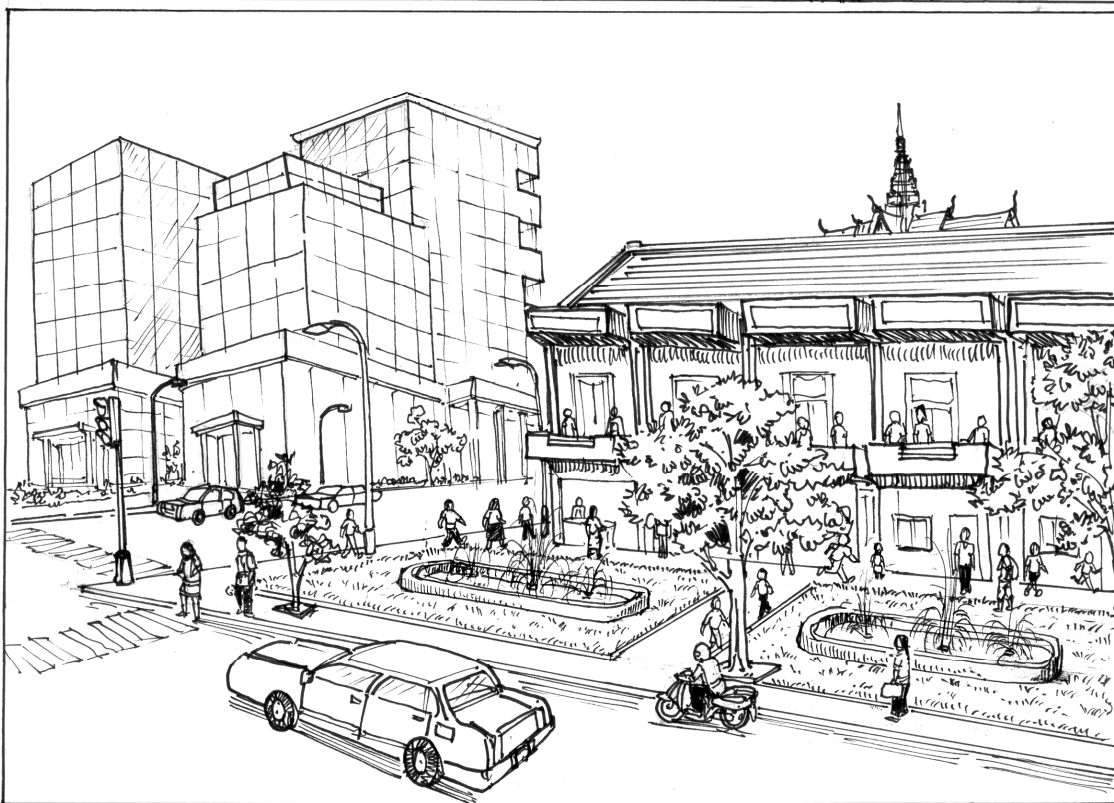
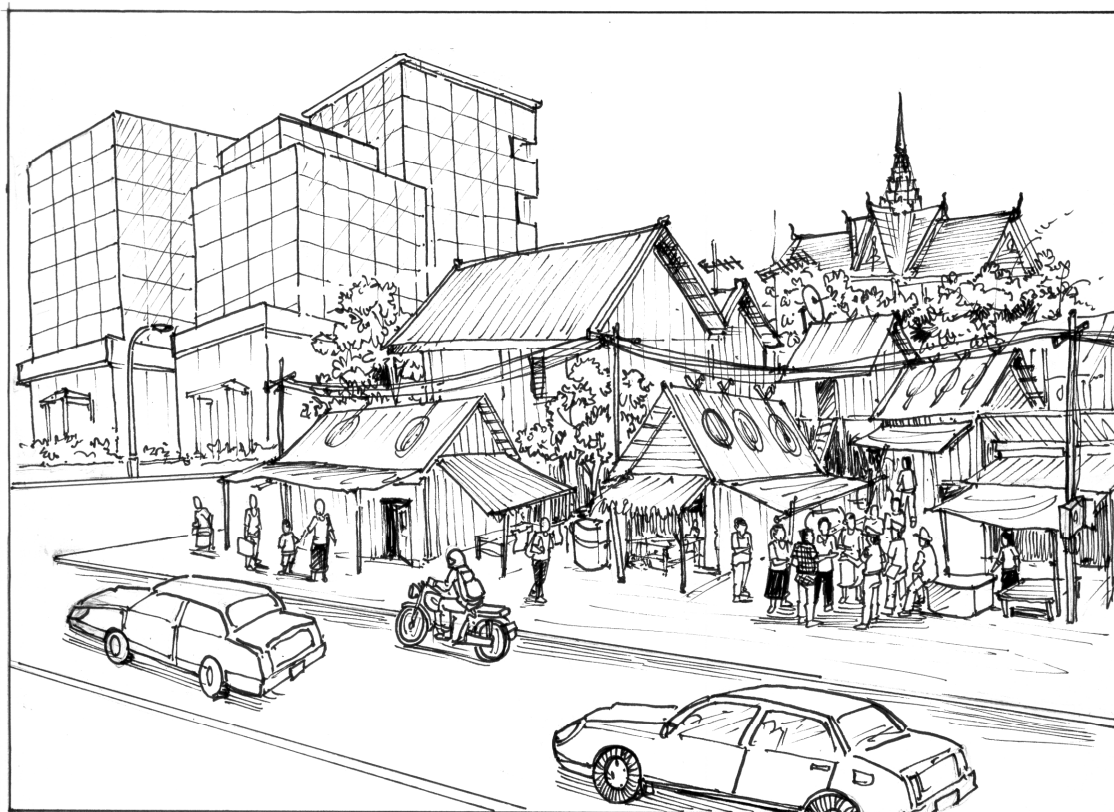
When inclusive development processes are used by communities, governments and companies, there is less risk of forced displacement and these negative impacts happening. This is because local communities who are affected by development projects are asked for their opinions and ideas about the project and how they would like to see their problems being solved.

If people are required to move because of a project, inclusive development ensures that they are included in the discussions and decisions about moving. Consultations should happen and action should be taken so that the living conditions of affected people are not negatively affected, or there could even be discussion on how they can be made better. With this approach to development, people's human rights are respected. In the next sections of the *Guide*, you will learn about human rights and how respect for human rights can improve the way development occurs.



This community has lived on their land for many years. The land is in the centre of the city and the authorities want to build a park to beautify the area and give the public somewhere to exercise and relax.

The decision to develop the area has already been made and the community has no choice but to move.



In this case, the authorities met with the community and recognized their land rights and their right to be involved in the decision to develop the area. Instead of making the people move, the authorities listened to the community and then developed the park and provided upgraded homes on the same site.

This meant that no families were negatively affected by displacement, and the public still have a pleasant place to relax.

LESSON 2: WHAT IS INCLUSIVE DEVELOPMENT?

AIM: Participants will think about different approaches to development and what a good development plan is. They will think about who should be able to make decisions about development.



MATERIALS: Drawings from Lesson 1, whiteboard or flipchart, markers, any available items to build pretend houses (tables, chairs, boxes, etc.)

METHOD(S) USED: Discussion, simulation.

Procedure	Time Frame (in minutes)
1. Facilitate discussion about drawings from lesson 1	10
2. Introduce the information in Sections 2 and 3	25
3. Simulation	15
4. Debrief	20
Total:	70

INSTRUCTIONS TO FACILITATOR

1. FACILITATE DISCUSSION ABOUT DRAWINGS:

- Using the Participants' drawings from Lesson 1, point out that there may be differences between the Participant's ideas for development and the types of development projects that they see government and companies promoting in their area.
- Point to the drawings on the top half of the papers and explain that in these drawings, there are many projects that focus on improving the lives of people in the community.
- Point to the drawings on the bottom half of the papers and ask the Participants where the community is in these drawings. Ask where local community members fit into these development projects.
- Participants may give positive or negative responses. For example they might say:
 - Our community is not anywhere in that drawing/plan;
 - Our community has to move out of the way;
 - Our community is being polluted by that project;
 - Our community members are working in jobs for that project;
 - Our community is wealthier because the project brought in tourists; or
 - Our community is benefitting from the new road.
- If Participants say that communities are not involved in the development plans or are not benefiting, you can draw unhappy people on the edge of the drawings.

2. INTRODUCE THE INFORMATION IN SECTIONS 2 AND 3:

Sections 2 and 3 - It is important that Participants understand:

- The meaning of inclusive development.
- The meaning of non-inclusive development.
- Good development projects include the ideas of all people who will be affected by the project and find ways to avoid causing harm when they are implemented.
- Forced displacement is one of the worst results of non-inclusive development because it causes many negative impacts for affected persons.
- When inclusive development processes are used by communities, governments, and companies, the risk of forced displacement and these negative impacts is greatly reduced.

3. SIMULATION:

- Divide the Participants into two groups. Group 1 should only have four or five Participants in it. Everybody else should be in Group 2.
- Ask Group 1 to go outside or to walk away from the training space so that they cannot hear what you are telling the rest of the Participants in Group 2.
- Once Group 1 cannot hear, explain to Group 2 that they are a community that is going about their daily lives. On this day they decide to clean up the community land and communal spaces and build some new houses with materials that they can find.
- They should use anything they can find in the room or training space such as tables, chairs and paper to build pretend houses. They should also tidy up to make the area pleasant.
- Make sure that Participants in Group 2 understand what they have to do and tell them that they should begin.
- Find Group 1 and explain that they have a special task. Do not tell them what Group 2 is doing.
- Tell Group 1 that they are workers for a company called 'Tiger Inc. The company has permission from the authorities to grow a rubber plantation and build a processing factory over the land which is inside the training room or space. The rubber plantation and factory will be very profitable and will even create some jobs for local communities. The company workers have been instructed to clear the area so that the development can begin.
- (If there are two Facilitators then one can go outside with Group 1 and give the instructions at the same time as the other Facilitator gives Group 2 its instructions.)
- Wait a few minutes until Group 2 has started building some pretend houses and tidying up the area before sending in Group 1. Make sure Group 1 understands that they should now go in and clear the area, ready for the development to begin.
- Let the simulation continue for a few minutes and make sure that no one gets hurt or upset, because the simulation can be quite physical.

4. DEBRIEF:

- It is very important to reflect on and discuss the simulation activity properly after it has finished. Participants might have strong reactions to what

happened and it is important that they understand why this was done and that they can discuss what they learnt from it.

- After everyone is sitting down, first ask Group 2 what they think happened in the simulation. How did they feel when Group 1 came in and started clearing the area after they had been doing some good community work?
- After a few Participants in Group 2 have had a chance to explain how they felt, ask Group 1 to tell the rest of the Participants what their instructions were and who they were working for.
- Ask Group 1 Participants how they felt about their task. Did they enjoy it or not? If they did not enjoy destroying people's houses, ask why they did it.
- Next ask Participants if this simulation was an example of inclusive or non-inclusive development. You can also ask what they think would have happened to the community if this was a real life situation.
- Ask the Participants what could have been done differently for this to be an example of inclusive development. You can help by asking what the company or the local authorities should have done before clearing the community's land.
- After Participants share ideas for a few minutes, end the exercise by reminding Participants that good development projects include the ideas of all people who will be affected by the project. Those doing the development should find ways to avoid causing harm when projects are implemented.
- Development plans can come from communities, the government, companies or others, but they must respect the ideas, concerns and rights of the communities who will be affected.

DIFFICULT TERMS:

1. **Development:** Improvement of the quality of life, opportunity and well being. Development can happen at the community level or at the country level. It can be anything from building schools and improving access to health care to building the economy and improving trade with other countries.
2. **Inclusive development:** An approach to development which *includes* local people in planning and decision-making and focuses on improving the lives and opportunities of affected people. Inclusive development also respects people's rights.
3. **Non-inclusive development:** Development that does not take affected communities' ideas and problems into account. Non-inclusive development projects can involve taking natural resources away from local communities, or forcing people to move from their homes so that more modern buildings can be built.
4. **Forced displacement:** When people or communities are made to leave their homes and lands. Forced displacement often happens because of non-inclusive development.

INTRODUCTION TO HUMAN RIGHTS

OUTCOMES

After completing this module, Participants will:

1. Understand what human rights are.
2. Understand that everybody has human rights.
3. Know what the Universal Declaration of Human Rights is and what rights it contains.
4. Understand why it is important to know their rights.
5. Understand that the government has the duty to respect and protect people's human rights.
6. Know that human rights and government duties are recognized in international and Cambodian laws.

1. HUMAN RIGHTS

1.1. WHAT ARE HUMAN RIGHTS?

Human rights allow people to live happy, healthy and free lives. In our daily lives, we all have basic needs, such as enough food to eat, clean water to drink and healthcare when we get sick. We also need some basic freedoms, such as the freedom to express our opinions and to practice our religion. Having access to these things and enjoying these freedoms are our basic rights as human beings.



Everyone, everywhere has these human rights – men and women, young and old, rich and poor – no matter where they were born or what they believe. These rights cannot be taken away from us and must be respected at all times.

1.2. WHERE DO HUMAN RIGHTS COME FROM?

Human rights come from the common values of cultures and communities around the world. These values have developed in many different societies and countries because most people around the world believe that they, and the people around them, should be treated with respect.

Unfortunately, throughout history people have experienced or witnessed terrible suffering, often caused by very bad treatment by government, military and other people. Many people have lived through wars and violence, under oppressive and cruel governments, or have not had enough food to eat or medical care when they are sick.

For example, Cambodians who lived through the period of Democratic Kampuchea between 1975 to 1979 experienced one of the cruelest regimes of the last century. Under the Pol Pot regime more than 1.5 million people were murdered, tortured, starved and worked to death.

These events and experiences have made people believe even more that rules must exist to prevent this bad treatment of human beings.



Everyone has human rights, young and old, men and women, poor and rich.

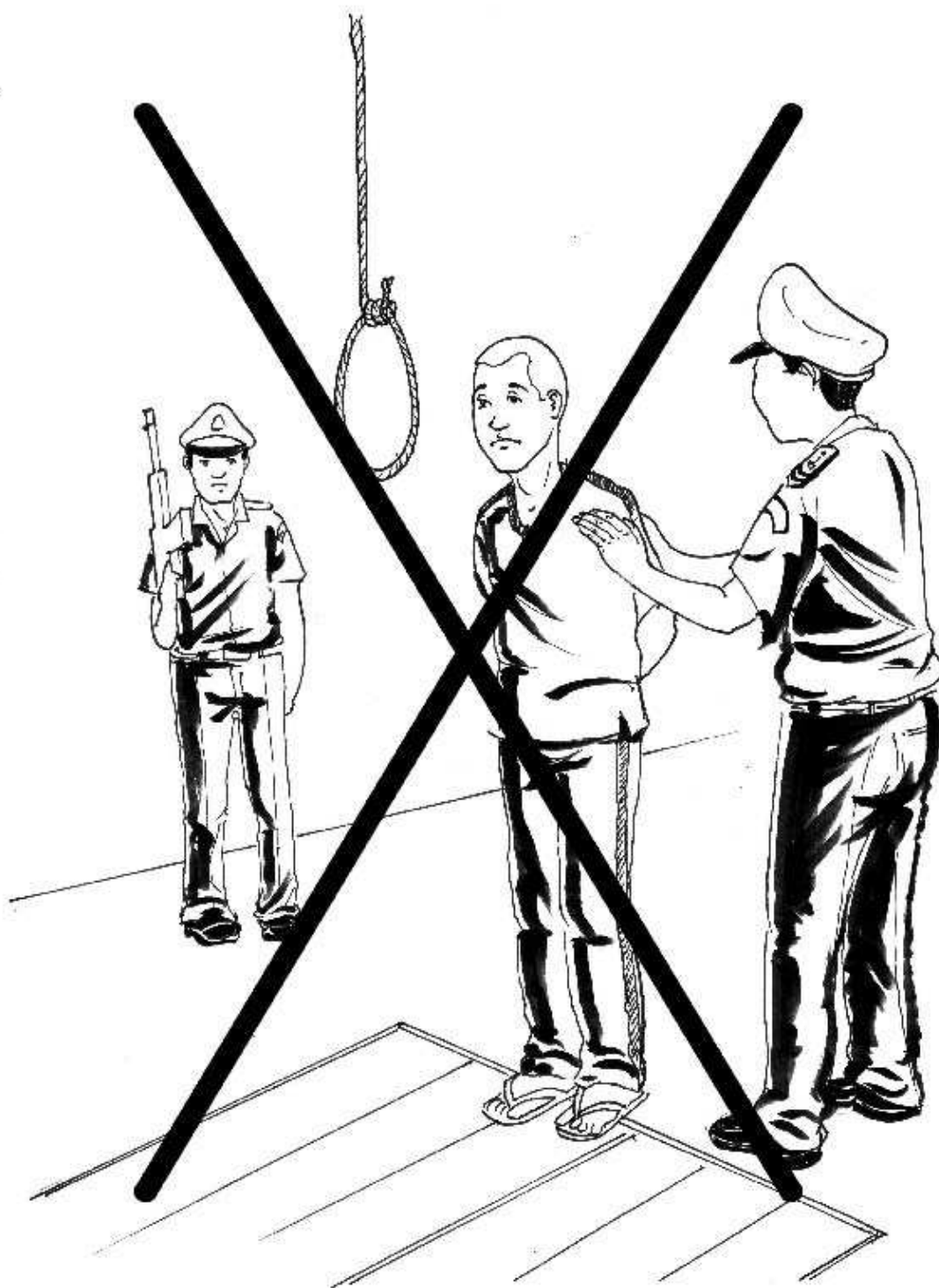
1.3. THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

The **United Nations** is an international organization made up of most of the world's nations. Its aim is to achieve world peace by preventing conflicts, promoting human rights, and helping with economic development.

In 1948 representatives from many nations came together at the United Nations to talk about human rights. At this important meeting, these representatives made a promise to their people, to each other, and to the world that their governments would respect human rights. This statement was called the **Universal Declaration of Human Rights (UDHR)**. The UDHR lists the basic rights of all human beings.

SOME OF THESE RIGHTS INCLUDE:

The right to life¹



¹ Universal Declaration of Human Rights, Article 3.

*The right to be free from **discrimination**²*



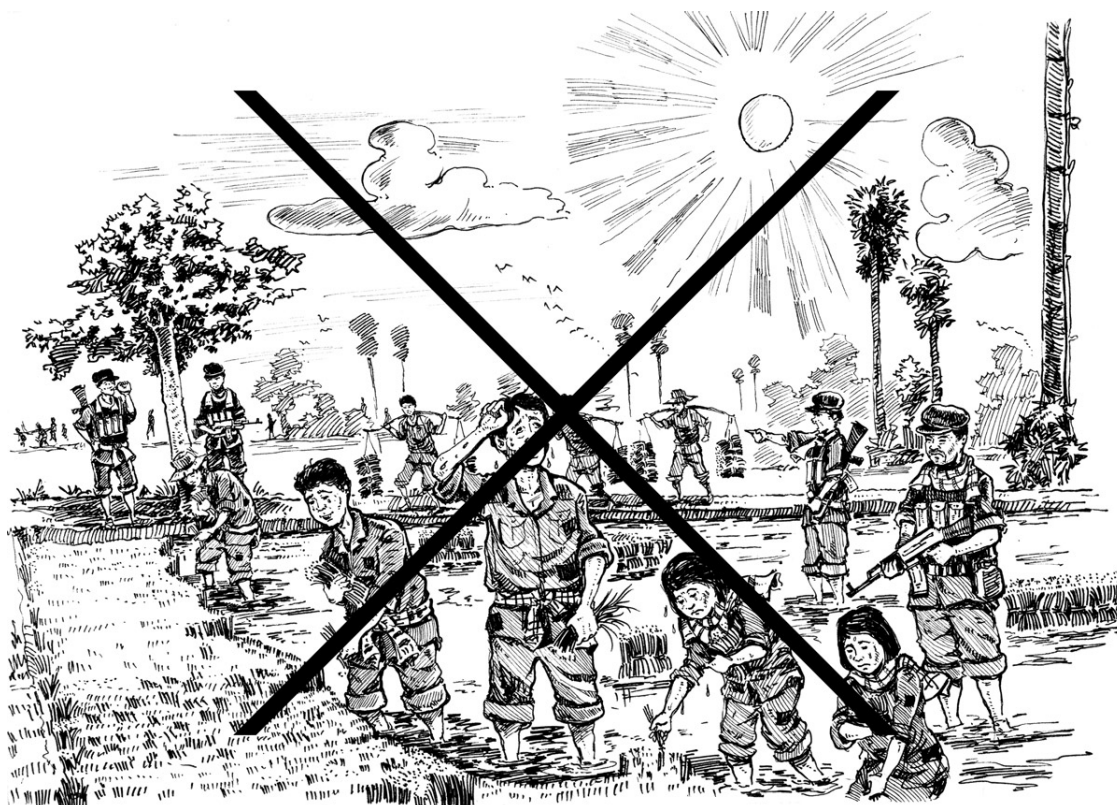
The right to health³



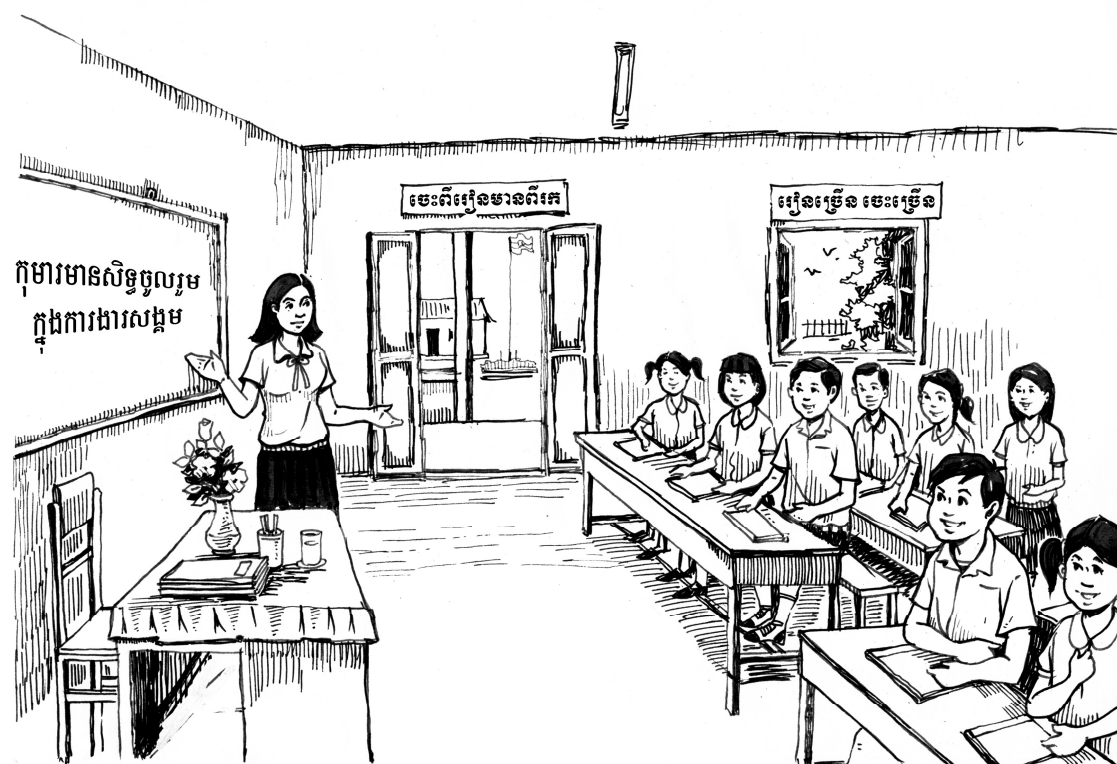
² Universal Declaration of Human Rights, Articles 2 and 7.

³ Universal Declaration of Human Rights, Article 25.

The right to be free from slavery⁴



The right to education⁵



⁴ Universal Declaration of Human Rights, Article 4.

⁵ Universal Declaration of Human Rights, Article 26.

*The right to be free from **unfair detention***⁶



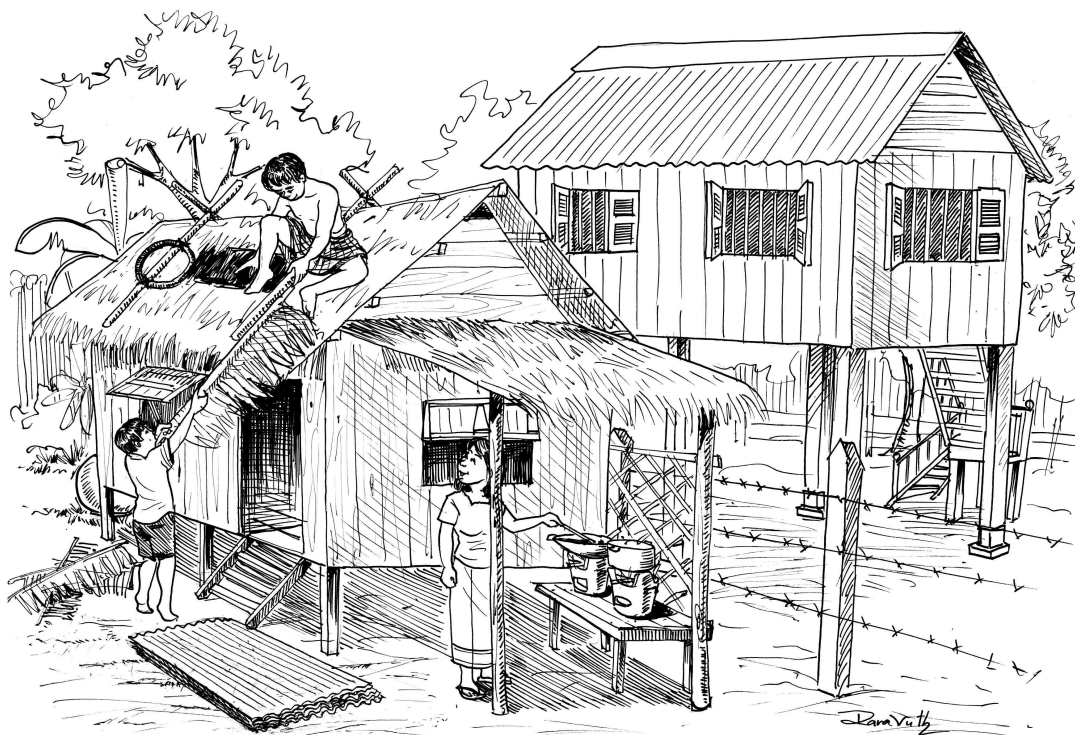
*The right to be free from torture*⁷



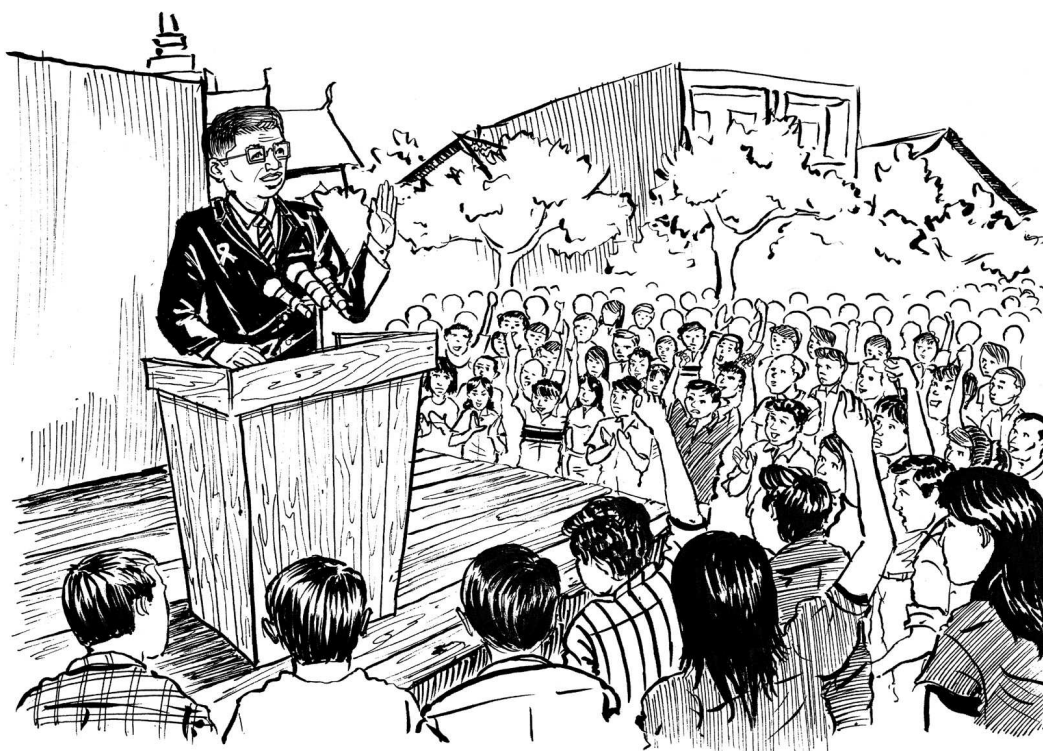
⁶ Universal Declaration of Human Rights, Article 9.

⁷ Universal Declaration of Human Rights, Article 5.

The right to an adequate standard of living⁸



The right to express opinions freely⁹



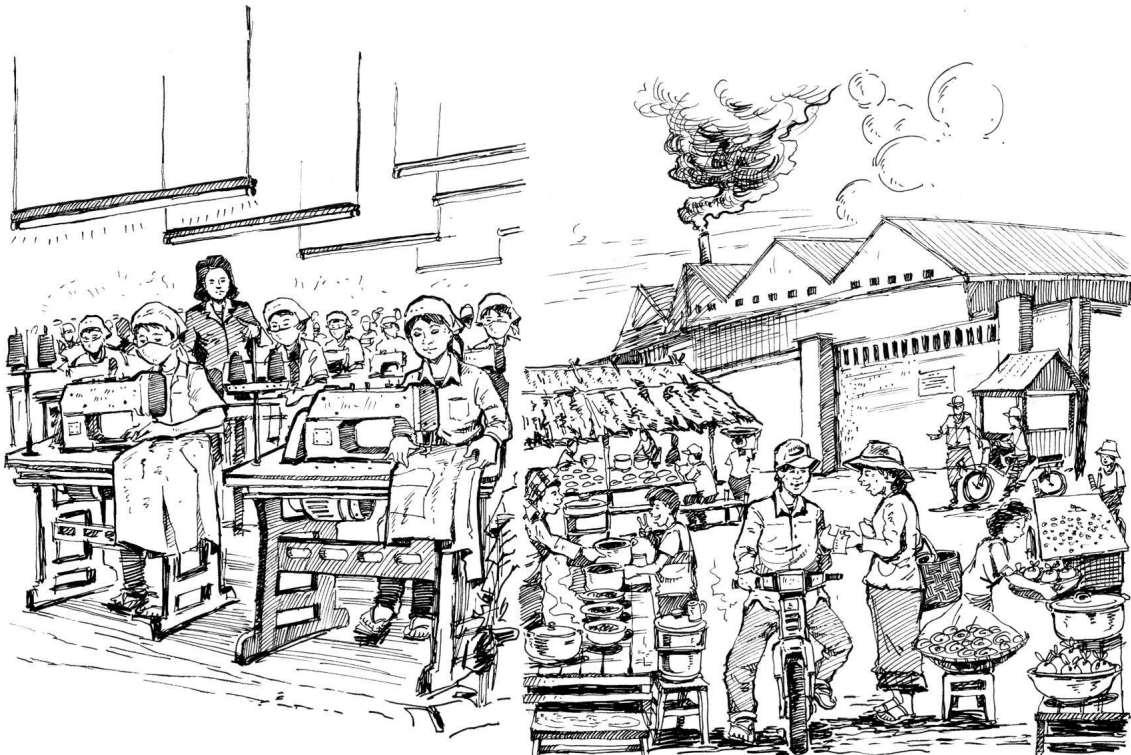
⁸ Universal Declaration of Human Rights, Article 25.

⁹ Universal Declaration of Human Rights, Article 19.

*The right to demonstrate*¹⁰



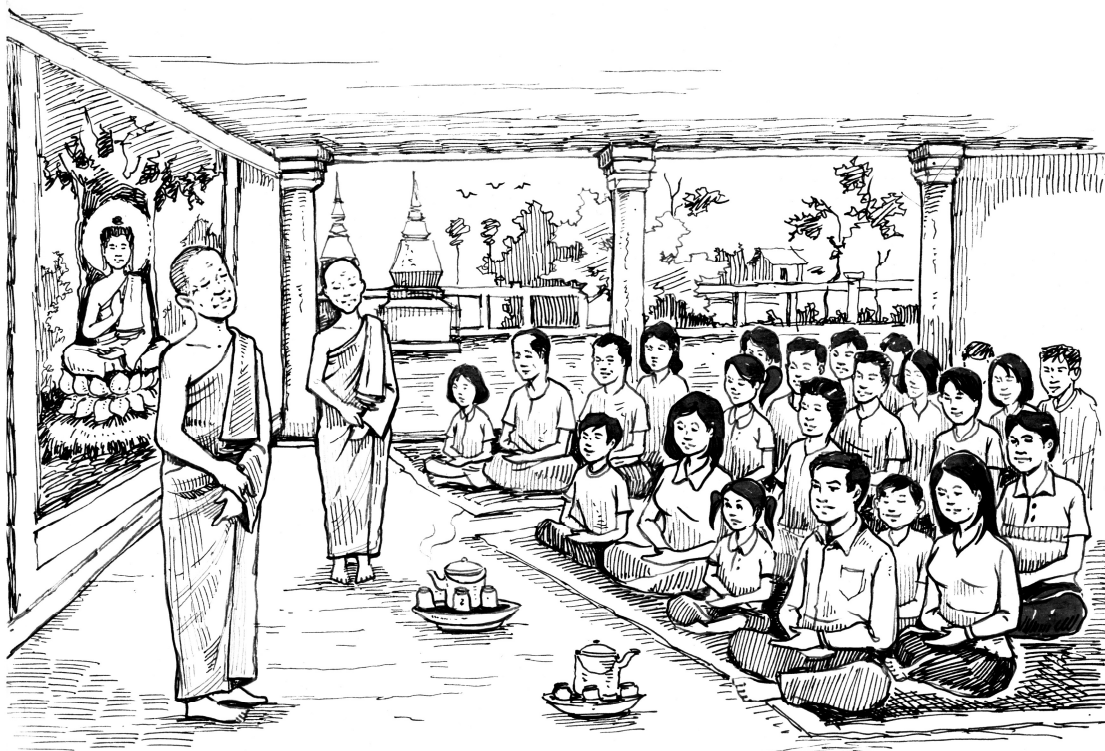
*The right to work*¹¹



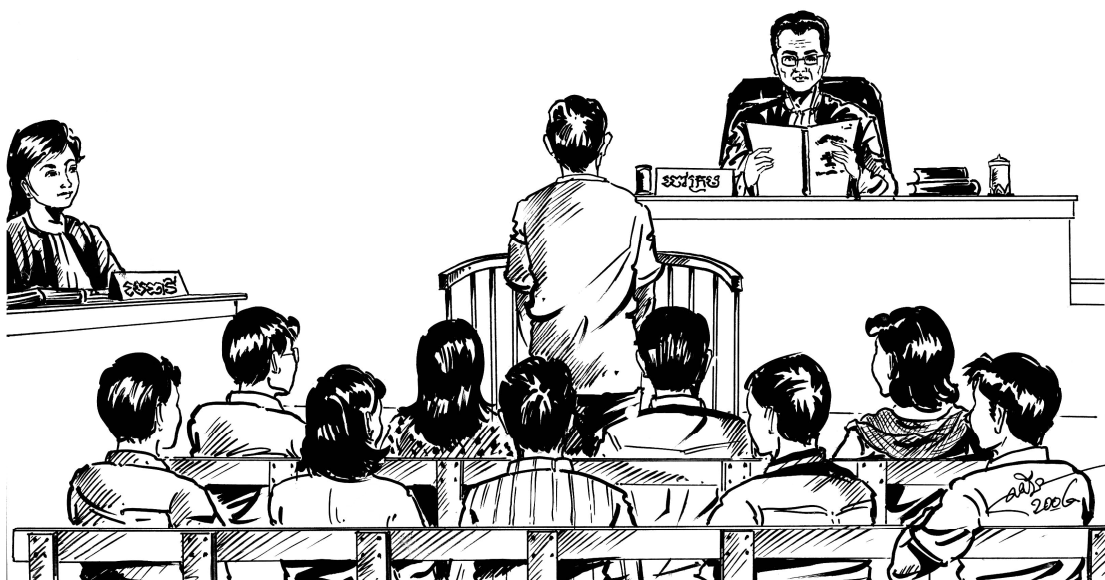
¹⁰ Universal Declaration of Human Rights, Article 20.

¹¹ Universal Declaration of Human Rights, Articles 23.

The right to freedom of religion¹²



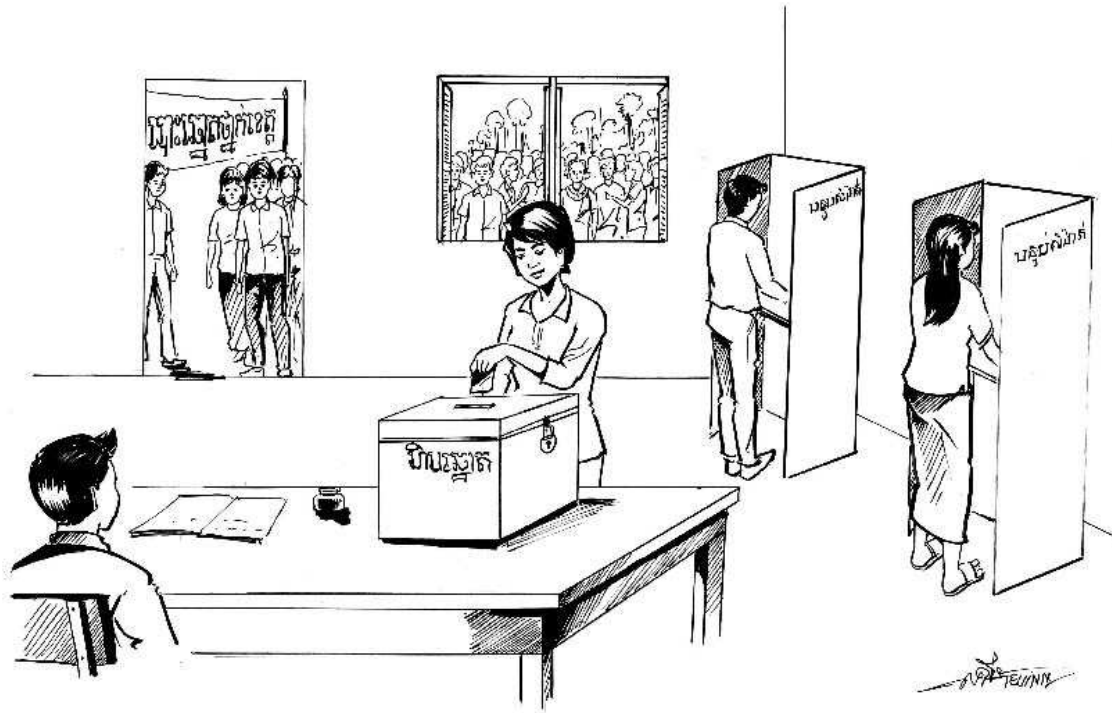
The right to a fair trial¹³



¹² Universal Declaration of Human Rights, Article 18.

¹³ Universal Declaration of Human Rights, Article 10.

*The right to vote*¹⁴



*The right to family life*¹⁵



¹⁴ Universal Declaration of Human Rights, Article 21.

¹⁵ Universal Declaration of Human Rights, Article 16.

The Universal Declaration is very important because it was the first time that the nations of the world collectively recognized that we all share a common set of values about how human beings should be treated and that these are, in fact, human rights. However, the UDHR is only a statement made by governments about the basic rights of human beings and does not have the force of a law. Nearly twenty years later, this statement became the basis for two very important international laws:

- **The International Covenant on Civil and Political Rights (ICCPR)** and
- **The International Covenant on Economic, Social and Cultural Rights (ICESCR).**

1.4. WHY SHOULD WE KNOW AND UNDERSTAND OUR RIGHTS?

Even though every person has human rights, very often these rights are violated by governments and others. When people do not know what their rights are, it is much easier for the government and others to violate human rights without any consequences. Knowing your rights is the first step in defending them. In this Guide, you will learn about your rights and what we can do to protect them.

Throughout history, and around the world, people have worked together to ensure that governments keep their promises to respect human rights. People have taken great risks and struggled to defend human rights and overcome injustice. People across the world have benefited from the victories of these human rights defenders.

MAHATMA GANDHI

For many decades, Britain ruled India as one of its colonies. During this time there were many abuses of the Indian people's human rights, including killing, forced labor, unfair trials and imprisonment. Over the years, the people became more and more determined to end this oppressive colonial rule and win their freedom and independence.

The struggle for Indian independence was led by a man named Mahatma Gandhi. He organized farmers and workers and led them in a movement of non-violent resistance to British rule. Gandhi was imprisoned many times and there were several attempts to kill him. Hundreds of thousands of Indians were arrested by the British in response to the independence movement, and many were even killed.

Despite the violence used by the British, the resistance remained non-violent and it eventually led India to independence in 1947. Gandhi has since inspired non-violent movements for human rights and freedom around the world.

THE UNITED STATES CIVIL RIGHTS MOVEMENT

The United States Civil Rights Movement (1955-1968) was inspired in many ways by Gandhi's example. In the United States, black Americans faced terrible discrimination and oppression for hundreds of years. Until the late 1960s, in the southern United States, black people were kept apart from white people and they were forced to go to separate schools and use separate public services. The services that blacks received were always of a much lower quality than those that whites received. Black people were prevented from voting, and they were unable to find good jobs. They also suffered from violence and other human rights violations, often carried out by the police.

Black Americans and other minorities rejected this discrimination. They challenged it in many different ways, such as through lawsuits and political organizing. Although they continued to face violence and discrimination, they followed Gandhi's example and refused to respond with violence. Instead they used non-violent resistance and led peaceful mass marches, rallies and strikes. Martin Luther King, Jr. led this non-violent movement by demanding that the rights recognized by the United States Constitution apply to all Americans, no matter what the color of his or her skin. This movement was ultimately successful in getting new laws passed that prohibited discrimination and ensured that the basic rights of all Americans, such as the right to vote, were respected.

LESSON 1: WHAT ARE HUMAN RIGHTS?

AIM: Participants will think about what human rights are, where they come from and why it is important to know about them.



MATERIALS: Flipchart or whiteboard, markers, copies of the Universal Declaration of Human Rights (if available), large pictures of human rights (see Handout 1).

METHOD(S) USED: Brainstorming, large group discussion.

Procedure	Time Frame (in minutes)
1. Introduce the exercise with open discussion and introduce the information in Sections 1.1 and 1.2	20
2. Brainstorming and group discussion	15
3. Facilitated discussion on the Universal Declaration of Human Rights and introduce the information in Section 1.3	20
4. Introduce the information in Section 1.4	20
5. Debrief	15
Total:	90

INSTRUCTIONS TO FACILITATOR

1. INTRODUCE THE EXERCISE WITH OPEN DISCUSSION AND INTRODUCE THE INFORMATION IN SECTIONS 1.1 AND 1.2:

- Start the exercise by asking the Participants the following questions:
 - What do “human rights” mean to you?
 - Why do you have human rights?
- Explain that there are no right or wrong answers to these questions. The aim of this discussion is to share ideas and find out what everyone already knows about human rights.
- Take 10 minutes for the Participants to share their thoughts. After this, summarize the discussion and introduce the information in Sections 1.1 and 1.2.

Sections 1.1 and 1.2 - It is important that Participants understand:

- What human rights are.
- That everyone has human rights, regardless of their background.
- That human rights come from common values and customs, because most people around the world believe that they, and the people around them, should be treated with respect.

2. BRAINSTORMING AND GROUP DISCUSSION:

- Write the following question on the flipchart:
 - What do you think you need to live happy, healthy and free lives?
- Encourage the Participants to share their thoughts about the question with the larger group. The Facilitator should encourage as many Participants as possible to give answers and should write each new idea on the flipchart.
- If Participants are having trouble answering, help by asking questions such as, “If you are always hungry, can you be happy and healthy?” or “If you are scared that you will be arrested for expressing yourself, can you be happy and free?”
- You can then point out that to live happy and healthy lives, you need basic things (such as food), as well as freedoms (such as being able to express yourself freely). You can then ask for more examples.

3. FACILITATED DISCUSSION ON THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND INTRODUCE THE INFORMATION IN SECTION 1.3:

- Ask the Participants if they have heard of the UDHR. If they have heard about it, ask them to explain what they think it is. If they have not heard of the UDHR or cannot fully explain what it is, tell them that you will talk about it in more detail during the lesson.
- Next, introduce the information in Section 1.3.

Section 1.3 - It is important that Participants understand:

- What the United Nations is.
- What the UDHR is.
- That the UDHR contains all the basic rights of human beings.
- That the UDHR is the basis of the two main international laws protecting human rights, the ICCPR and ICESCR.

- After teaching the information in Section 1.3, go back to the examples given by the Participants in the brainstorm and explain that many of these rights are included in the UDHR. Governments who signed the Declaration have made a promise to protect these rights.
- When you reach the illustrations in Section 1.3, pass around the large copies of the pictures from Handout 1. If you have time, you may want to ask Participants to guess what right the picture shows.
- If you are teaching a large group, hand out several copies of each picture.
- Explain that these are all human rights that are included in the UDHR. After the exercise stick the pictures on the wall so Participants can see them during the workshop.
- If copies of the UDHR are available, hand them out at the end of the day so that Participants can read the Declaration for themselves.

4. INTRODUCE THE INFORMATION IN SECTION 1.4:

- First, ask the question:
 - Do you think it is important to know your rights? If so, Why?
- Allow a few minutes for Participants to reply, and then introduce the information in Section 1.4.

Section 1.4 - It is important that Participants understand:

- Although everyone has these rights, they are not always respected, but this does not mean that they are meaningless.
- If people do not know what their rights are, they cannot work to ensure that they are respected.
- Over the years many people have struggled for their human rights and the human rights of others to be respected.
- In this Guide, Participants will learn what their rights are, and possible ways that they can try to ensure they are respected.

- After reading out the example of the Indian struggle for independence, ask Participants if they know of any more examples of people successfully advocating for human rights.
- These examples can be from their own lives and communities, from Cambodia or around the world.
- After this you should read out the example of the Civil Rights Movement in the US.

5. DEBRIEF:

- During the lesson, the Participants may have been introduced to a number of new ideas. To review the lesson, play a short game.
- Divide the Participants into four groups. Explain that you will ask some questions, and after each question the groups have one minute to think of an answer.
- When the time is up ask one member of each group to call out their answer, one group at a time. The team with the best answer gets 5 points. If you think more than one team gives a good answer, give them both 5 points.
- You can use the following questions (you can also add any others you think of):
 - What are human rights? (Human rights are what people need in order to live happy, healthy and free lives. You have these rights because of the simple fact that you are a human being).
 - Give five examples of a human right (see pictures).
 - What is the Universal Declaration of Human Rights? (A list of the basic rights of all human beings. It is a statement which was made in 1948 by the United Nations).

- Why do you think it is important to know your rights?
- Finish the exercise by explaining that human rights cannot be taken away from anyone. When they are not respected, it does not mean people do not have these rights. It means that the government is failing to meet its duty to respect or protect them. In the following lesson we will discuss governments' responsibilities to respect human rights.

2. GOVERNMENT DUTIES AND HUMAN RIGHTS

Governments of countries have the power to pass laws and take actions that affect many people's lives. Because of this power, governments of all countries are responsible for doing all that it can to make sure that people are able to live happy, healthy and free lives. That means that governments have a **duty** to make sure that human rights are respected.

Governments must pass laws and take action to ensure that people are able to enjoy their human rights. For example, to respect the human right to education, governments must pass laws and take steps to try to make sure that all children are able to go to primary school. To do this, they might open new schools in remote rural villages and train more teachers.

Governments must not pass laws or take actions that violate human rights. For example, if a government builds a large dam that prevents a community's access to water for farming, fishing or drinking, it may be committing a violation of the people's right to water.

Governments also have a duty to protect people's rights from violations by other people. For example, in order to respect the right to life, governments must pass laws which punish murderers. If someone commits murder, that person should be punished according to those laws.

The duty to respect human rights is recognized in both international and national law.

2.1. GOVERNMENT DUTIES TO RESPECT HUMAN RIGHTS ARE RECOGNIZED IN INTERNATIONAL LAW

The Universal Declaration of Human Rights (UDHR) is a statement made in 1948 by most of the nations in the world that they would respect people's human rights. However, this did not have the force of law. Because human rights were still being violated, the United Nations decided that laws were needed in order to protect the rights contained in the UDHR and to put obligations on governments to protect them.

In the 1960s two **international human rights laws** were created. These laws are called:

- **The International Covenant on Civil and Political Rights (ICCPR)** and
- **The International Covenant on Economic, Social and Cultural Rights (ICESCR).**



Most of the rights listed in the UDHR are protected by these laws. *Because the Covenants are laws, governments that agree to them by signing them, have the legal duty to respect and follow them.* When governments ratify these international treaties, they make a commitment to their people and to other governments of the world that they will respect human rights. This means that respect for human rights in a country is the concern of the whole international community, not just the government of that country.

The United Nations monitors the human rights situation in all countries that have signed the international human rights laws. The United Nations writes reports about human rights violations and also makes recommendations about how governments can make sure that human rights are respected.

When a government does not respect international law, it cannot be sent to jail, but *other* countries and the United Nations can do something about it. For example, other countries can refuse to give the government aid or refuse to trade or communicate with that government. If there are very serious violations of people's human rights, the United Nations can decide to send armed forces into that country to stop the human rights violations from continuing.

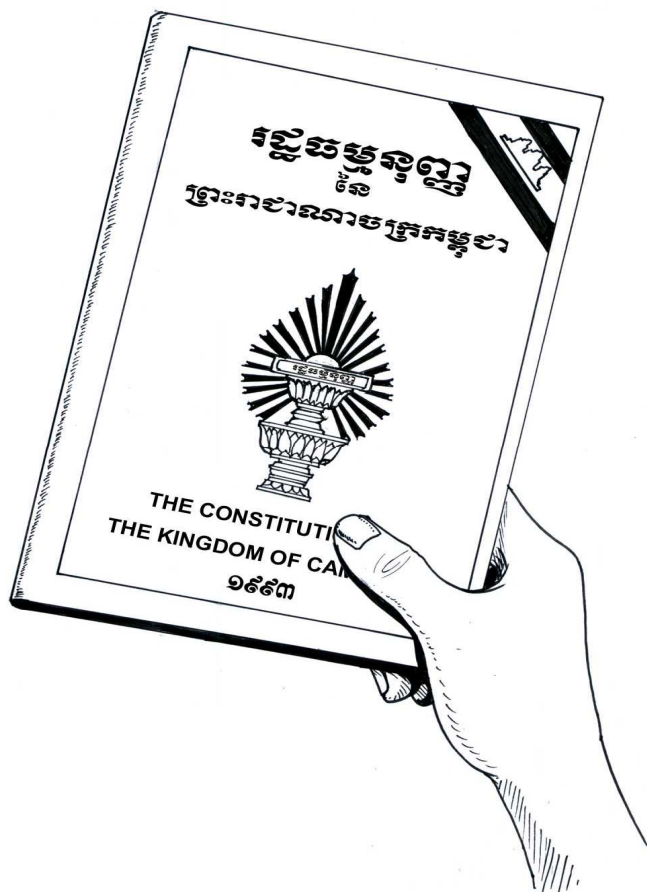
2.2. GOVERNMENT DUTIES TO RESPECT HUMAN RIGHTS ARE RECOGNIZED IN CAMBODIAN LAW

The Royal Government of Cambodia agreed to follow both international laws - the ICCPR and the ICESCR- by signing them in 1992. The **Cambodian Constitution**, makes these international laws part of Cambodian law. The Constitution is the highest law in Cambodia. This means that the government has *a legal duty* to make sure that all human rights are respected.

The Constitution of the Kingdom of Cambodia

Article 31: The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights, conventions related to human rights, women's and children's rights.





People can help to ensure that their government respects its legal commitment to respect and protect human rights by:

- Knowing what their rights are.
- Demanding that the government does not pass laws or take any actions that violate people's rights.
- Demanding that the government pass laws and take actions to respect and protect their rights.

LESSON 2: HUMAN RIGHTS AND GOVERNMENT DUTIES

AIM: Participants will know that governments have a duty to make sure that people's rights are respected. Participants will be able to look at a human right and identify what specific duties the government has to protect that right.



MATERIALS: Flipchart or whiteboard, markers, large sheets of paper, pictures from Handout 1.

METHOD(S) USED: Brainstorming, group discussions, presentations.

Procedure	Time Frame (in minutes)
1. Introduce the information in Section 2	15
2. Explain the exercise	5
3. Small group discussions	15
4. Group presentations	25
5. Introduce the information in Sections 2.1 and 2.2	15
6. Debrief	20
Total:	95

INSTRUCTIONS TO FACILITATOR

1. INTRODUCE THE INFORMATION IN SECTION 2:

Section 2 - It is important that Participants understand:

- Governments have the power to make decisions, laws and policies that impact on people's lives, and with this comes the responsibility to ensure that people's rights are respected.
- Governments must pass laws and take action to ensure that people are able to enjoy their human rights.
- Governments must not pass laws or take actions that violate human rights.
- Governments also have a duty to protect people's rights from violations by other people.

2. EXPLAIN THE EXERCISE:

- Divide the Participants into four groups and give each group one of the following pictures from the last lesson:
 - The right to health
 - The right to education
 - The right to demonstrate
 - The right to express your opinion freely
- Explain that each group should try to think about the following:
 - What the government *must do* to make sure that the right is respected; and
 - What the government *must not do* to make sure that the right is respected.
- Before the groups begin, use the example of the right not to be tortured. This will help the Participants understand their task.
- Explain that for the right not to be tortured:
 - The government *must not* torture anybody.
 - The government *must* punish people who have tortured someone else.
 - The government *must* pass a law to say torture is always illegal.
- The groups will have 15 minutes to discuss their right. After this they will present their answers to the other Participants. The groups should think of as many examples of government duties as possible.
- Tell the groups to stick their picture in the middle of a piece of flip chart paper. They can write or draw their ideas around this.

3. SMALL GROUP DISCUSSIONS:

- Make sure that each group understands the right they are given. You may need to help them think of some government duties connected to that right.
- Help the groups by using the Suggested Answers below, but only do so if the groups cannot think of government duties themselves.

4. GROUP PRESENTATIONS:

- After 15 minutes, ask each group to present their answers. Pay attention to the time limits and make sure that the Participant presentations last five minutes each.
- Save the posters that the groups make as these will be used again in the debrief.

Suggested Answers:

This exercise aims to help Participants think of the duties the government has to respect and protect human rights. Below are just some examples of duties that the government has to respect people's rights. There are many more possible correct answers than those provided below.

Right to health

- The government *must* work towards making sure that poor people can afford to see a doctor if they get sick.
- The government *must not* allow companies to build a factory that pollutes the water of a community and makes people sick.
- The government *must* make sure everybody can go to the hospital by building more hospitals if needed.

Right to education

- The government *must* provide free primary education.
- The government *must* prevent children from working instead of going to school. This can be done by creating programs that support poor families so that parents do not have to take children out of school in order to work.
- The government *must* make sure that all children can go to school, including by building more schools if necessary.

Right to demonstrate

- The government *must* allow people to hold a peaceful public demonstration.
- The government *must* not force a peaceful demonstration to end by attacking or arresting the protesters.
- The government *must* prevent other people from attacking peaceful demonstrators.

Right to express your opinion freely

- The government *must not* arrest people for criticizing the government.
- The government *must not* allow people to stop others from expressing their political opinion.
- The government *must* pass a law to protect the right of people to say what they think or believe.

5. INTRODUCE THE INFORMATION IN SECTIONS 2.1 AND 2.2:

Sections 2.1 and 2.2 - It is important that Participants understand:

- Cambodia has signed the two main international laws which protect human rights, the ICCPR and ICESCR.
- The Cambodian Constitution makes these rights part of Cambodian law, and the Constitution is the highest law in Cambodia.
- This means that the government has a duty, recognized in both international and Cambodian law, to respect and protect human rights.

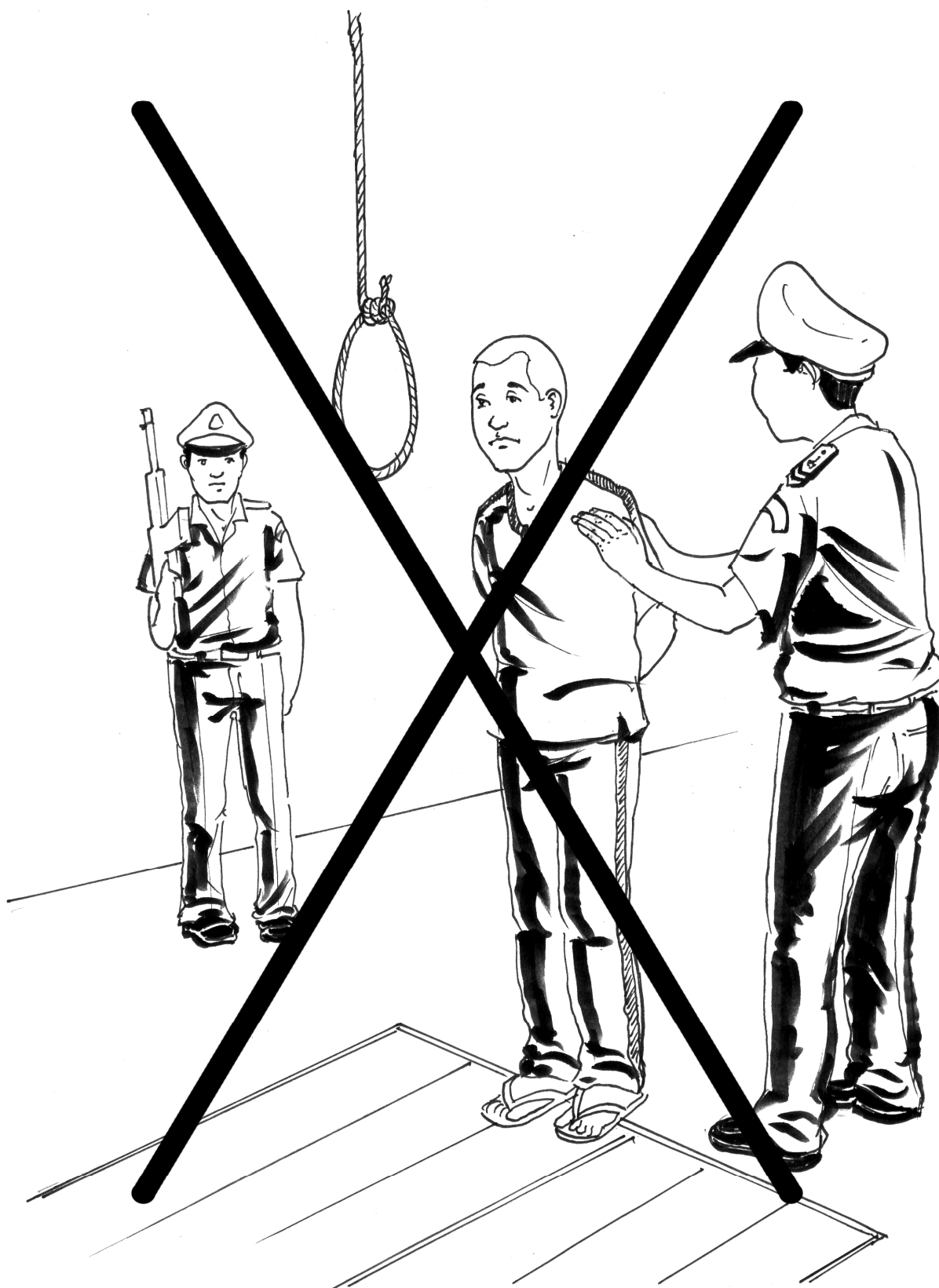
6. DEBRIEF:

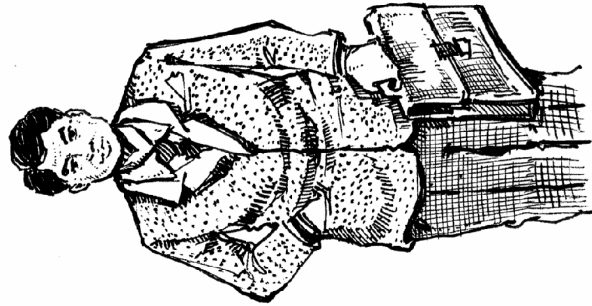
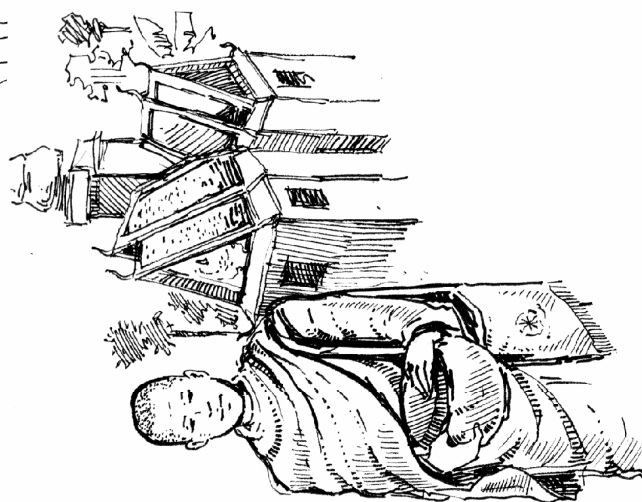
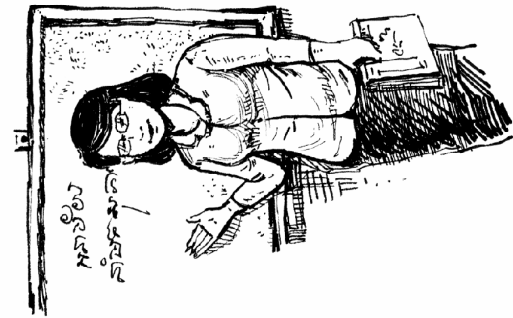
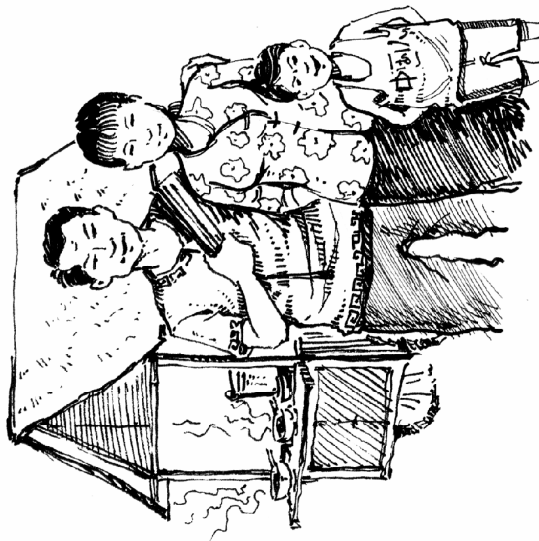
- Stick the Participants' presentations on the walls around the room so they can be easily seen. For some or all of the four rights, do the following:
 - Choose some examples of government duties and ask the Participants if they think this is something that their Government is doing or not doing.
 - Ask Participants to share stories from their lives that show whether or not the government is meeting its duty and respecting these rights.
- Finish by asking the Participants what they think they can do if the government is not meeting its duties to respect human rights. To end the discussion you can remind the Participants that they can help ensure that the government meets its duties by:

- Knowing what their rights are.
- Demanding that the government does not pass laws or take any actions that violate people's rights.
- Demanding that the government pass laws and take actions to respect and protect their rights.

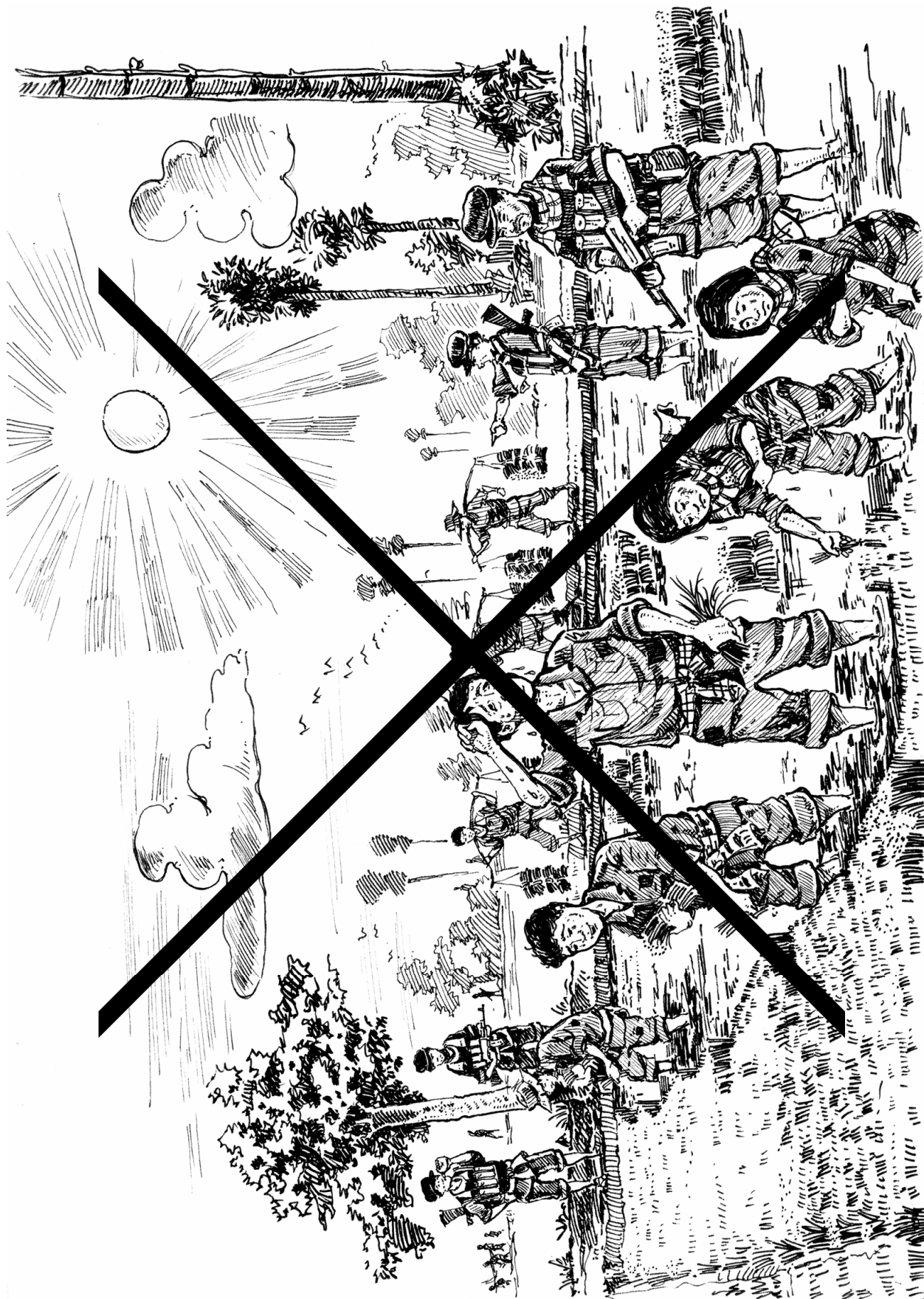
DIFFICULT TERMS:

1. **Constitution:** The highest law in Cambodia. The Constitution sets the rules for the system of government in Cambodia. All laws passed by the government and all decisions of state institutions must follow the Constitution.
2. **Discrimination:** Treating a certain group of people in a different way only because they belong to that group, for example women or indigenous people.
3. **Duties (of the government):** Things the government must do or must not do, for example the government must not torture people. These duties exist because people have human rights which must be respected.
4. **Human rights:** Human rights allow people to live happy, healthy and free lives. Having access to our basic needs, such as adequate food, water and housing, and enjoying basic freedoms, such as the freedom to express our opinions and to practice our religion, are our rights as human beings. Everybody, everywhere has these rights, no matter what their age, sex, religion, or wealth.
5. **International Covenant on Civil and Political Rights (ICCPR):** One of the most important international human rights laws. It protects human rights such as people's rights to life, to be free from discrimination, to vote and to be free to express opinions.
6. **International Covenant on Economic, Social and Cultural Rights (ICESCR):** One of the most important international human rights laws. It protects human rights like people's right to education, healthcare and adequate housing.
7. **International human rights law:** Law that recognizes the human rights of individuals around the world and that places legal duties on governments to respect those rights. The Constitution recognizes international human rights law as part of Cambodian law.
8. **Unfair detention:** When people are arrested and held in jail without a good reason according to the law.
9. **United Nations:** An international organization created by the world's governments in 1945. The United Nations works for peace and security in the world. 192 countries are currently members of the United Nations.
10. **Universal Declaration of Human Rights (UDHR):** One of the most important international texts on human rights. The UDHR was adopted by the United Nations in 1948. It is a list of human rights which governments have promised to respect and protect.

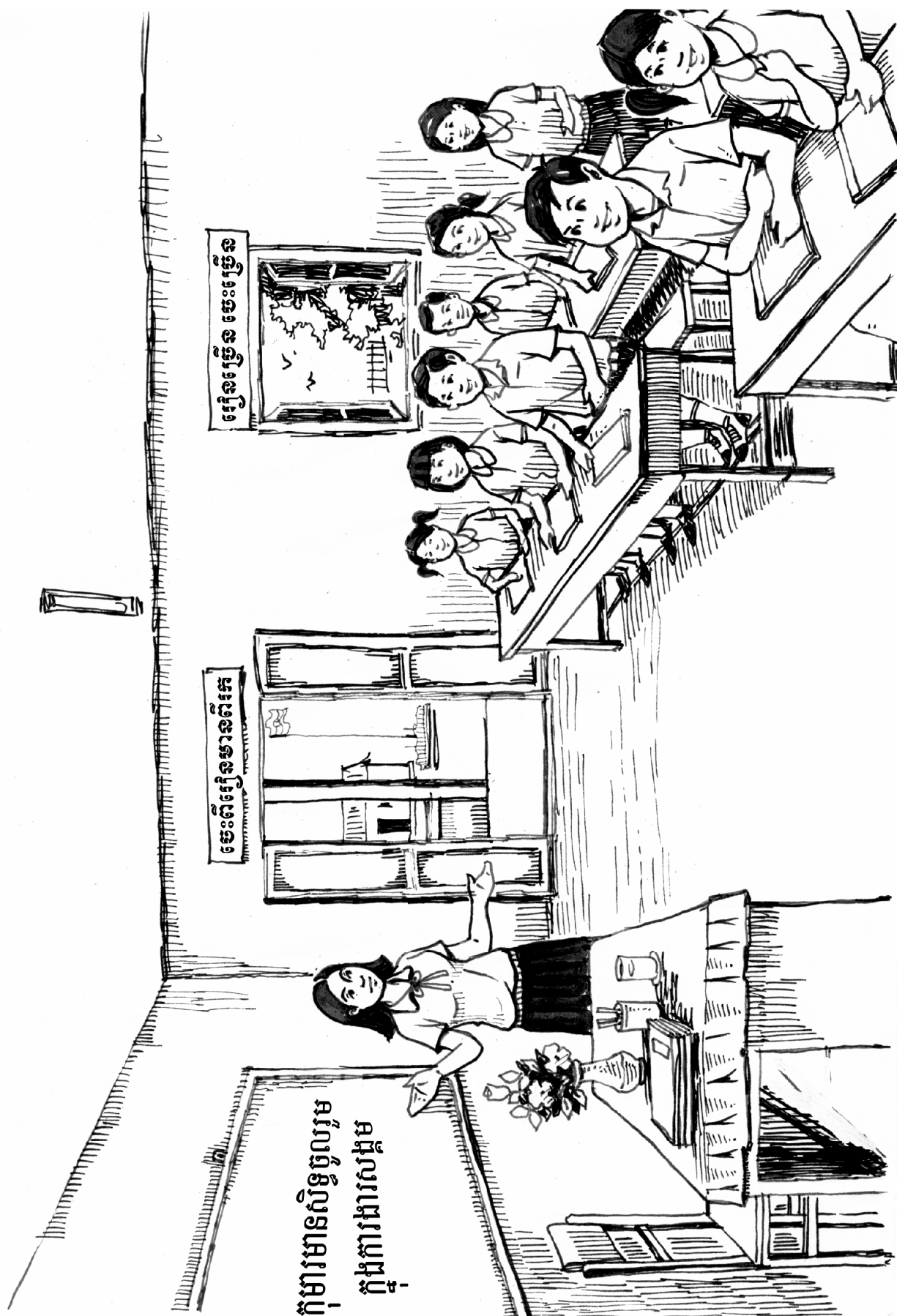




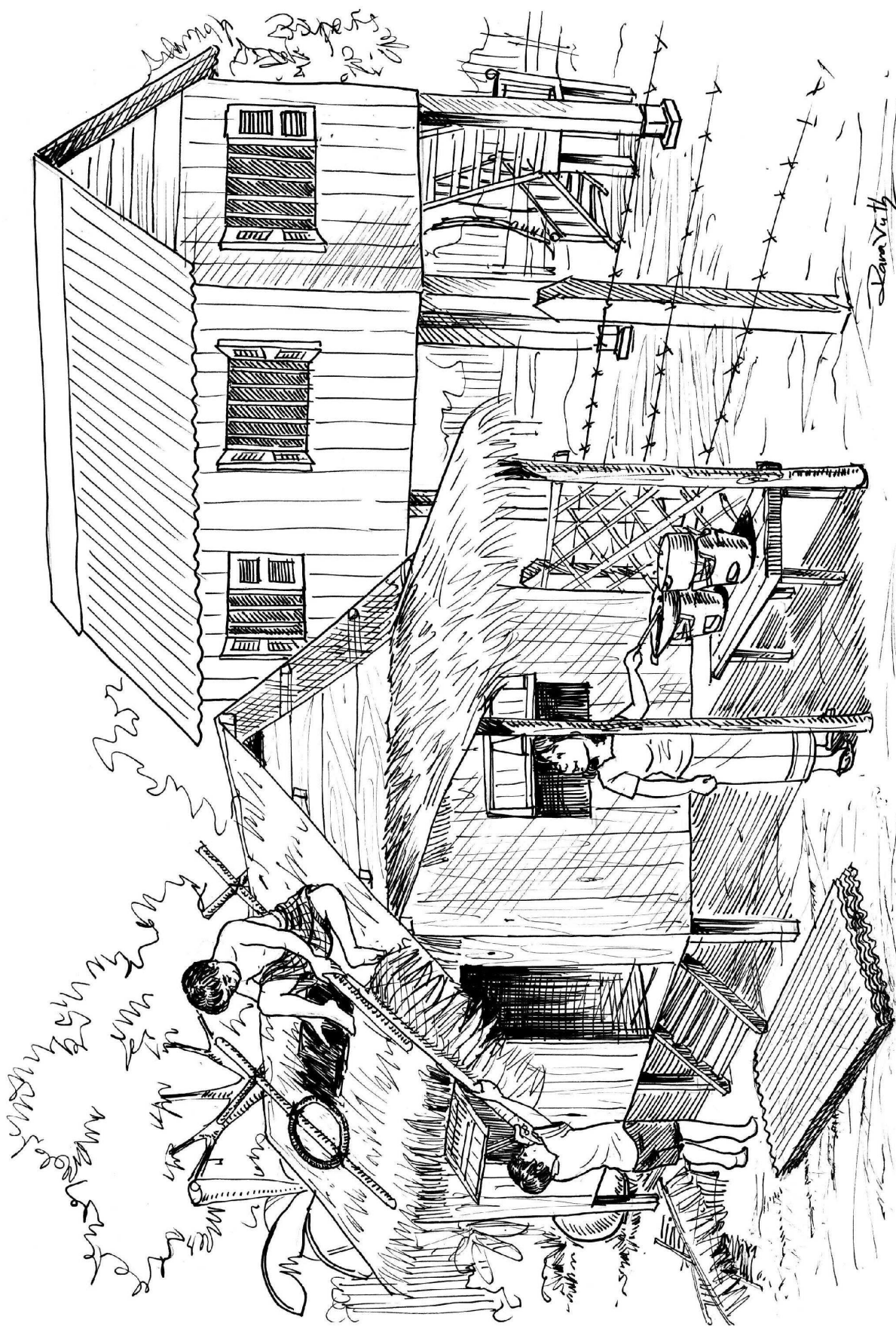


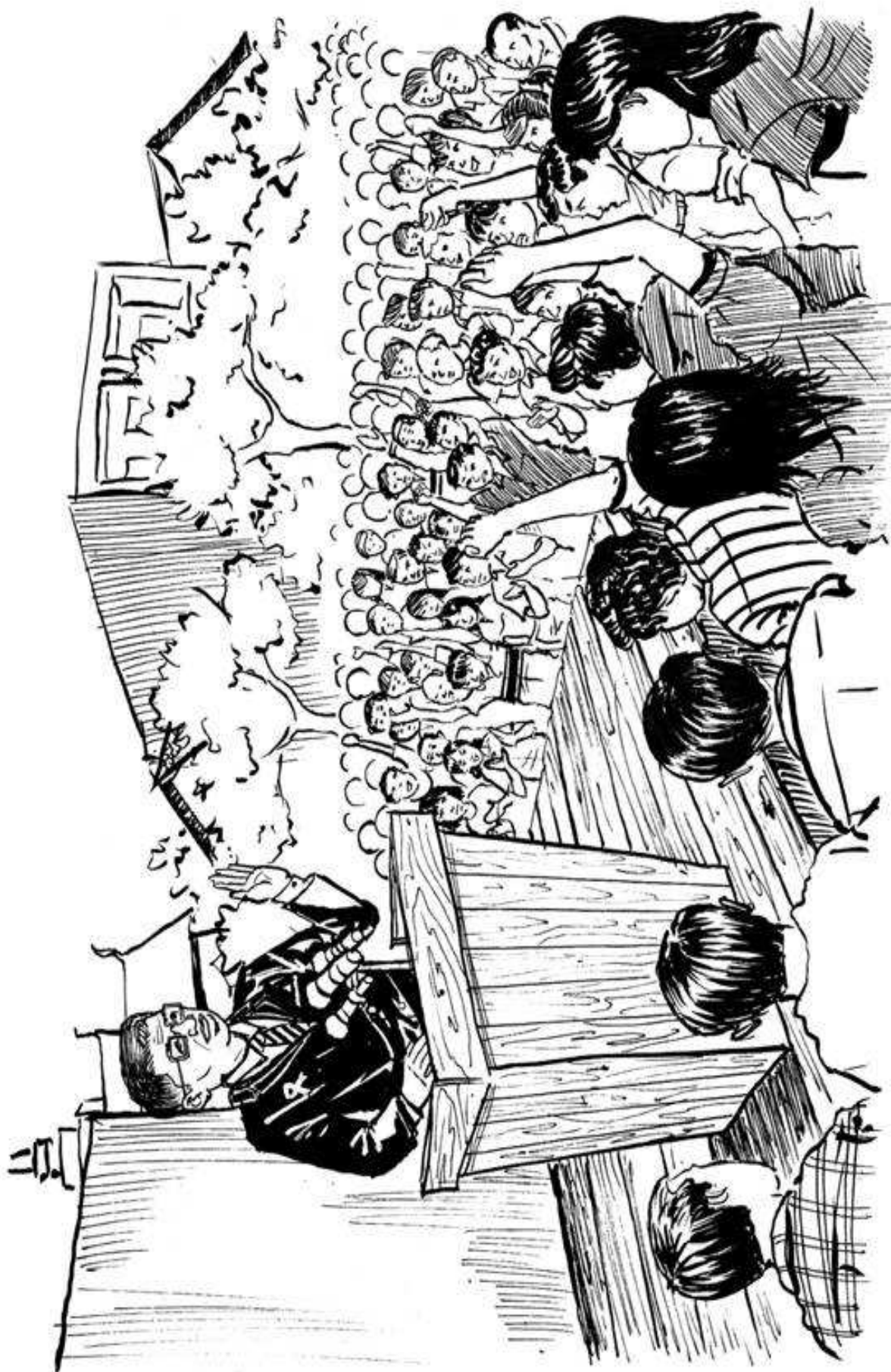


HANDOUT 1- LESSONS 1 AND 2 (CONTINUED)

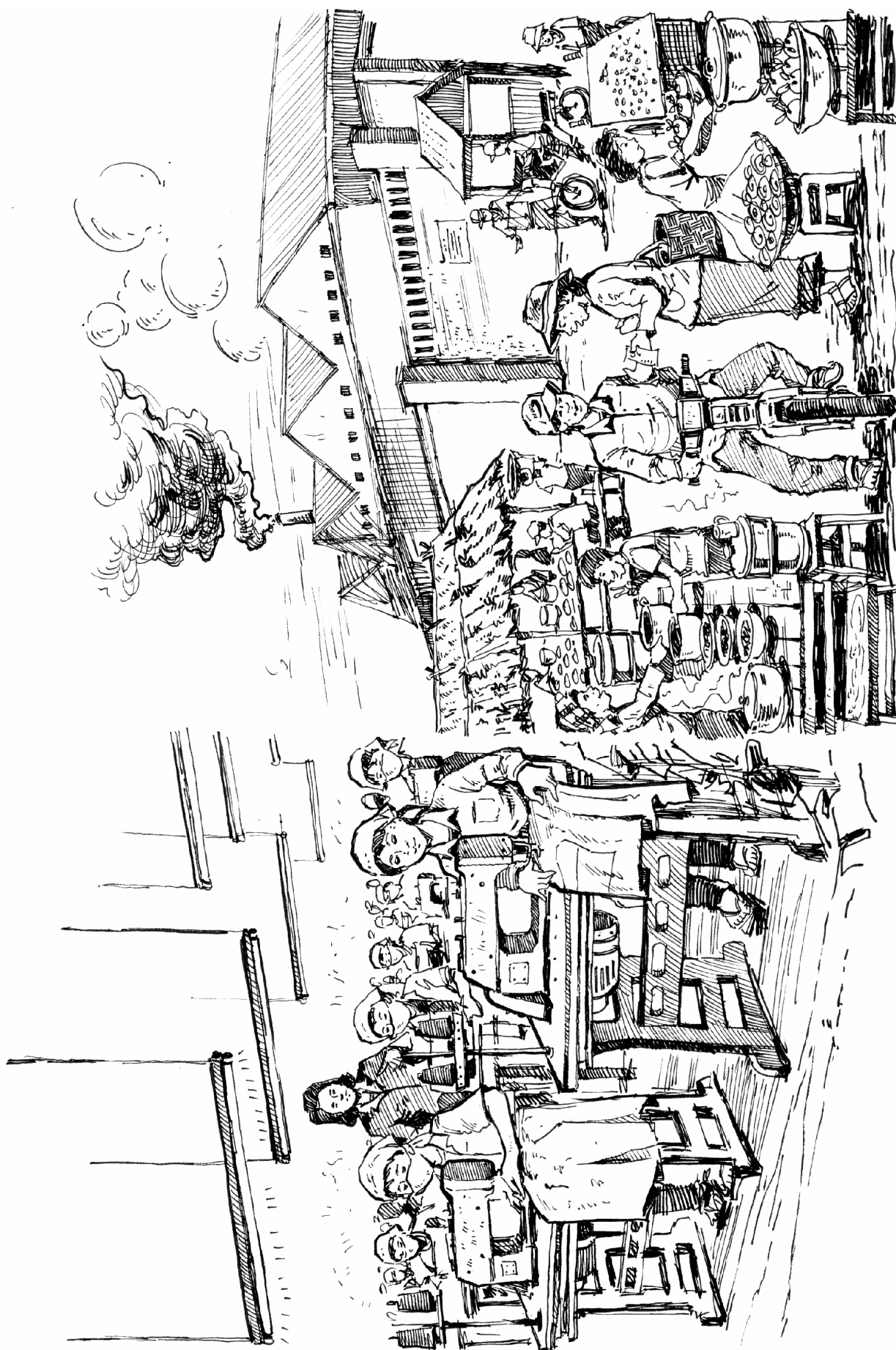




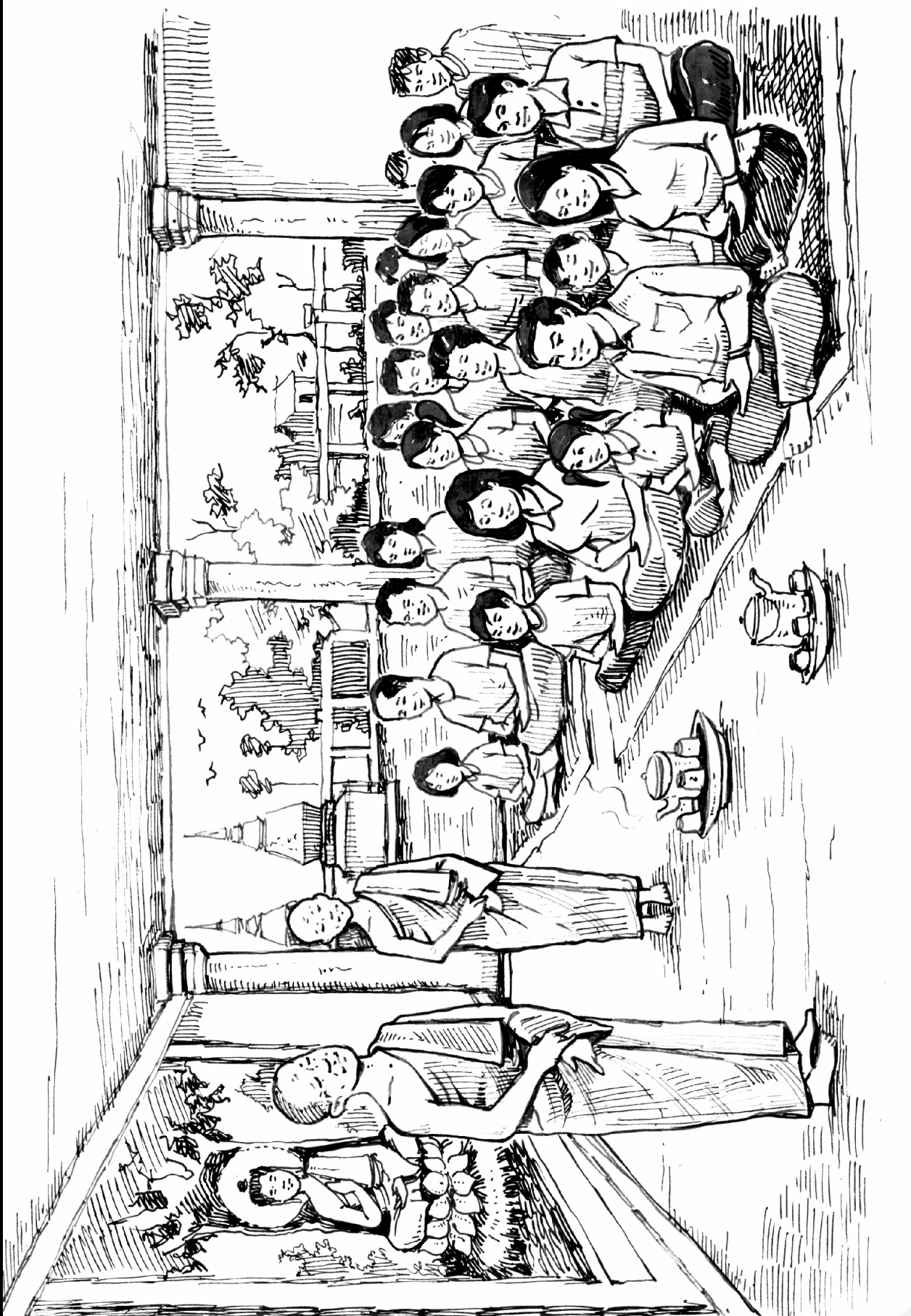


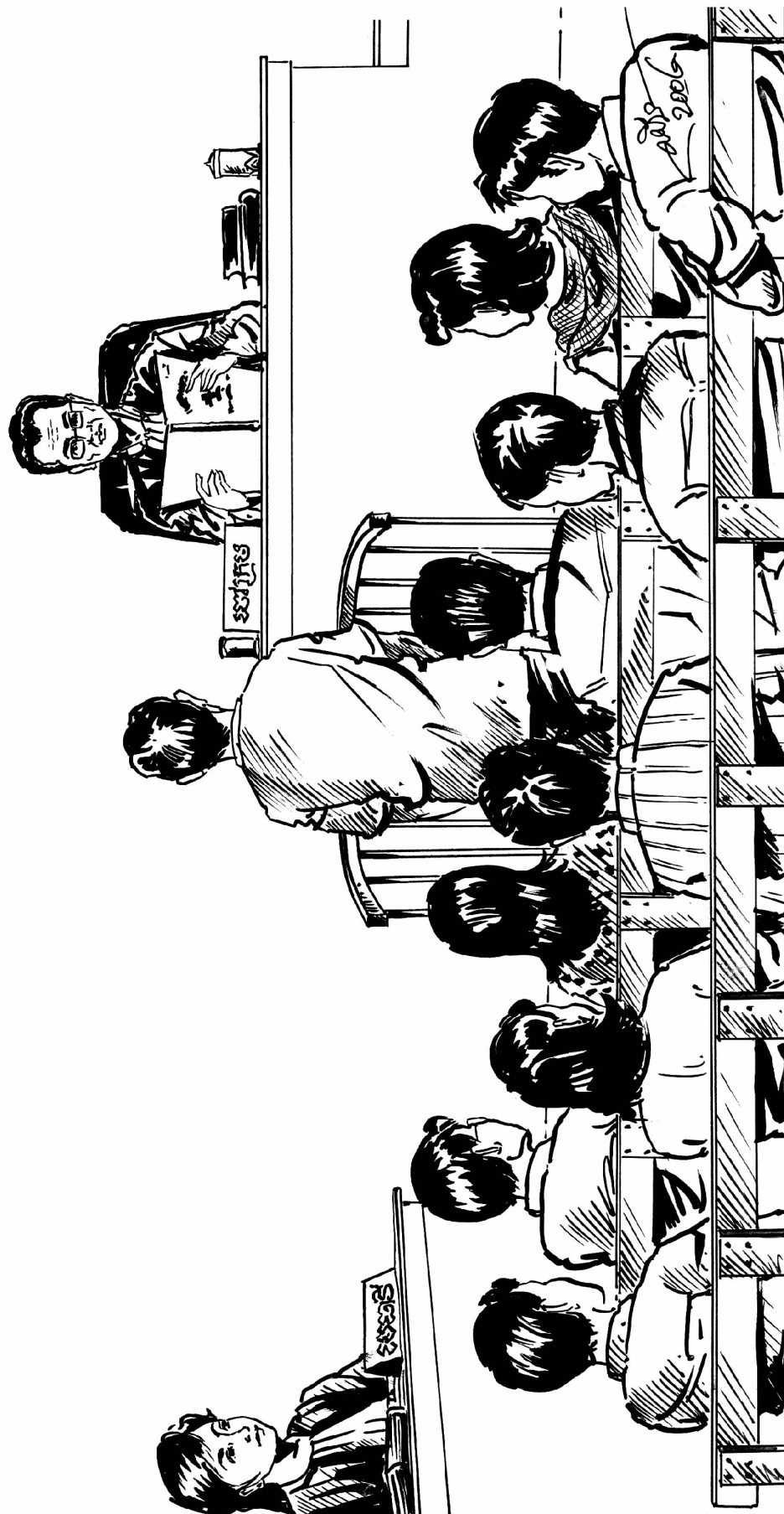






HANDOUT 1- LESSONS 1 AND 2 (CONTINUED)







THE RIGHT TO ADEQUATE HOUSING

OUTCOMES

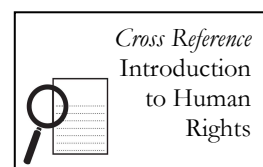
After completion of this module, Participants will:

1. Know the seven elements of the right to adequate housing.
2. Understand that adequate housing is a human right recognized by law.
3. Understand that the government has a duty to respect and protect people's right to adequate housing.

1. THE RIGHT TO ADEQUATE HOUSING

1.1. WHAT IS ADEQUATE HOUSING?

The right to adequate housing is one of the basic human rights that must be respected for people to live happy, healthy and free lives. Adequate housing is more than just a roof and walls. We need adequate housing to protect us while we sleep, cook, eat and live together as a family. Our house must have certain things for us to live happily and to keep us healthy and safe. Also, our house needs to be near to certain things for us to be able to live and work, and for our children to learn, play and stay healthy. For example, our homes should be close enough to schools for our children to receive an education.

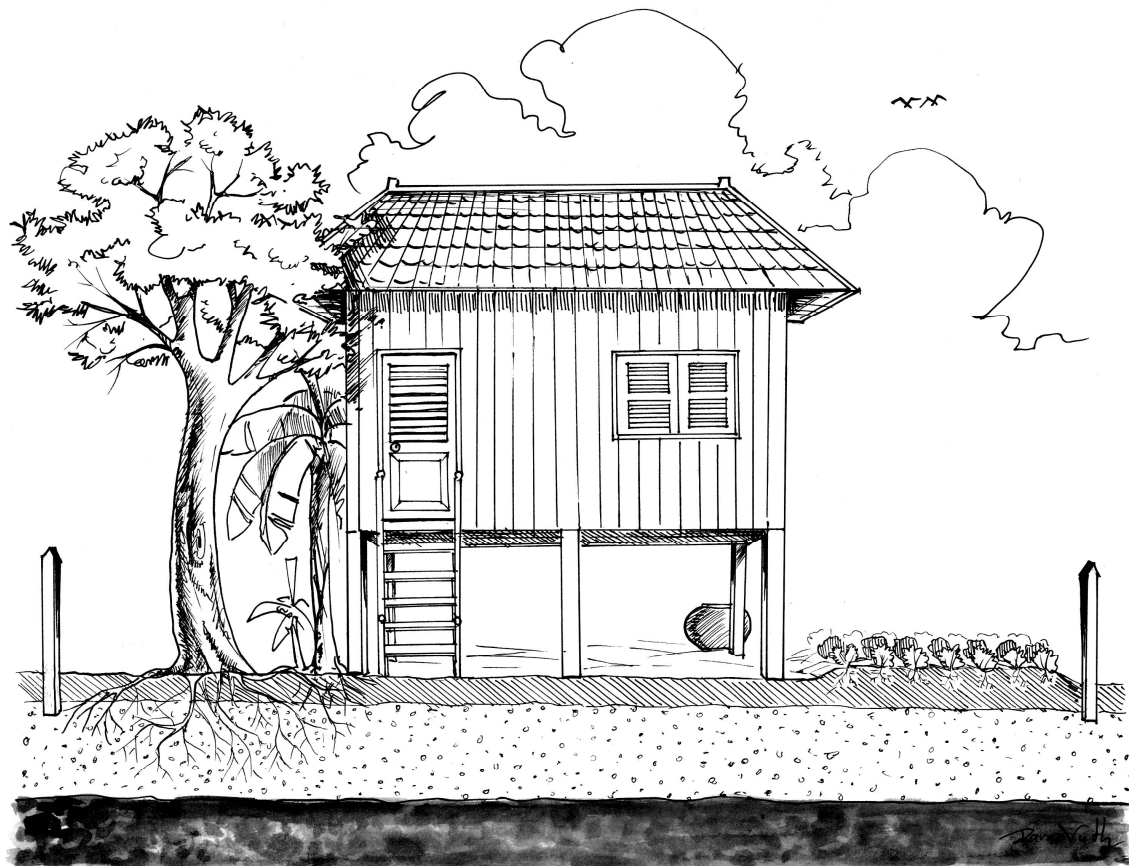


According to international human rights law, there are seven things that make housing adequate and help ensure that people are able to live in security, peace and dignity. These seven elements are:¹⁶

¹⁶ Committee on Economic, Social and Cultural Rights, General Comment 4, 1991.

1. *The house must have enough space, privacy and protection.*

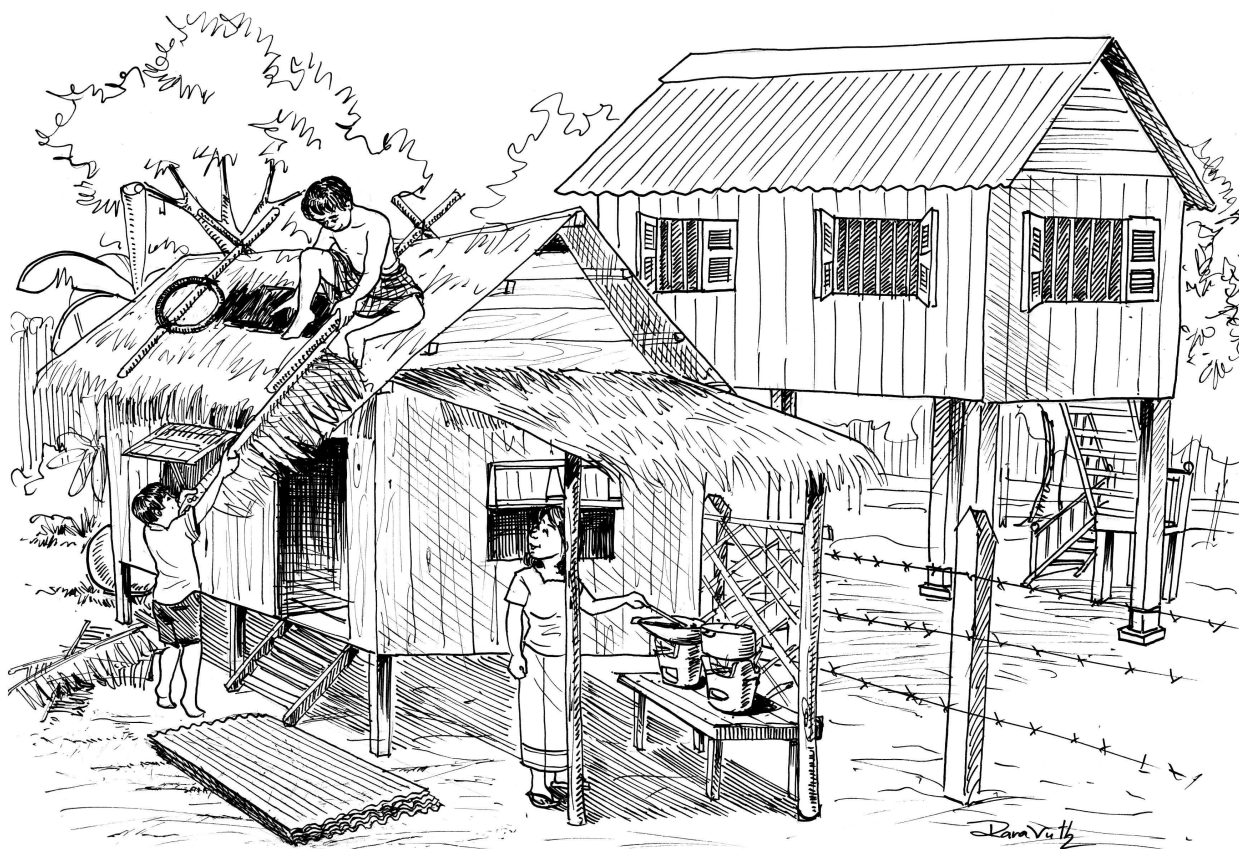
People should be protected from the weather (the rain, cold, wind or heat) and from other people when they are inside their homes. People must feel safe and comfortable at home.



This house has a strong roof, solid walls and has space on either side, giving the residents some privacy.

2. *The cost of housing must not be too expensive.*

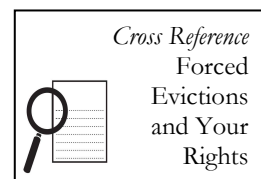
The rent should not be too high, and land and building materials should not be too expensive to buy. This means that after people have paid their rent, or bought or built an adequate house, they should still have enough money to pay for their other basic needs, such as food, clothes and school fees.



This family lives in a simple rural home, but they are able to afford materials to improve their home. Here they are changing the thatched roof for metal sheets.

3. *People must have security of land tenure to be protected against forced evictions.*

This means that people must have a legal guarantee that they will not be forced to leave their homes and land (unless it is absolutely necessary under the law). This applies to everyone – *including owners, possessors, renters and occupiers*. Without this guarantee, people would be living in fear of being pushed from their homes at any time.



Here a man and his wife are being told to leave by a businessman and his bodyguards. The law should protect people's security of tenure so that they cannot be evicted unless it is absolutely necessary.

4. *Everybody has the right to live in adequate housing - without discrimination.*

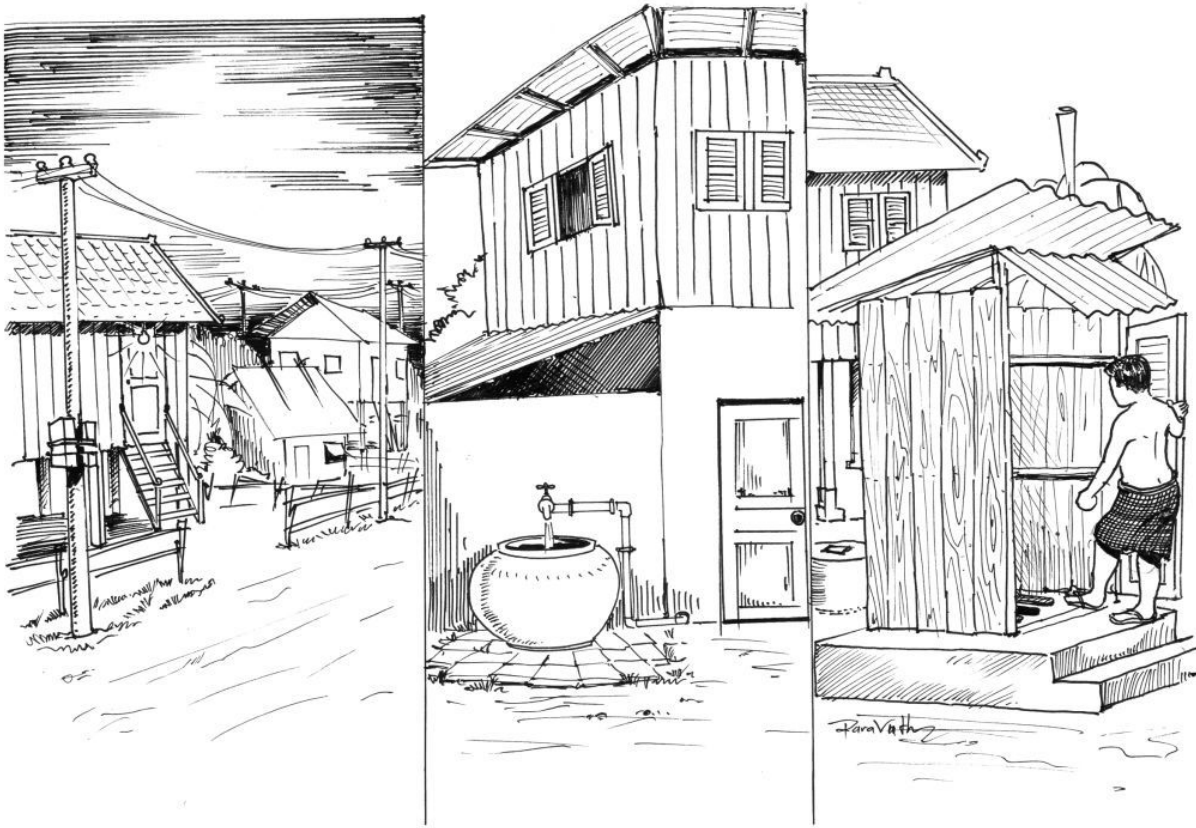
No matter what their age, sex, status, wealth, religion or where they come from, everyone has the right to adequate housing. The government must make sure people are not prevented from living in adequate housing just because they belong to a specific group. For example, neither disabled people, people who have HIV/AIDS, women, nor indigenous people should be denied access to adequate housing because of who they are.



All ethnic groups have the right to adequate housing, including Khmer, indigenous minorities and Cham.

5. *The house must have access to basic services.*

For example, adequate housing should have access to clean water (for people to be able to drink, wash and cook), sanitation (toilets and sewage disposal), drainage, garbage collection services and roads.



This community has electricity, running water and access to toilets.

People's homes should be close to hospitals, schools, markets, and jobs or lands suitable for farming. Homes should not be built in unsafe polluted areas, and if there are homes in an area, polluting industries and businesses should not be built nearby.

6. *The house must be in an appropriate location.*

People's homes should be close to hospitals, schools, markets, and jobs or lands suitable for farming. Homes should not be built in unsafe polluted areas, and if there are homes in an area, polluting industries and businesses should not be built nearby.



This community has a school and hospital, and has a pagoda nearby. It is also close to the river and farmlands so that people can make a living farming or fishing.

7. *The house must be designed and built in a way that respects people's traditions and culture.*

For example, it is important to many indigenous people in Cambodia to live in traditional houses that are close to other members of their community, and surrounded by their traditional land and forest. They should not be forced to live in a tall building on a very small plot of land or far from their community.



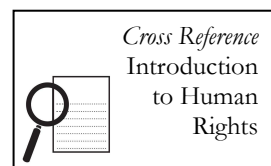
This community lives in housing that suits their culture and traditions.

REMINDER – THE SEVEN ELEMENTS OF ADEQUATE HOUSING

1. The house must have enough space, privacy and protection from the weather and from other people.
2. The cost of housing must not be too expensive.
3. People must have security of land tenure to be protected against forced evictions.
4. Everyone has the right to live in adequate housing without discrimination.
5. The house must have access to basic services, such as water and sanitation.
6. The house must be in an appropriate location, near such things as schools or hospitals and in an unpolluted area.
7. The house must be built in a way that respects people's culture and traditions.

**1.2. PEOPLE HAVE A RIGHT TO ADEQUATE HOUSING**

All people need adequate housing to live in security, peace and dignity and to be able to enjoy their other rights. Because of this, the right to adequate housing is recognized in international law by Article 11(1) of the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**.



This means two things:

1. All people have the right to live in adequate housing that has all of the seven elements listed above.
2. The government has a duty to do everything it reasonably can to try to make sure that everybody is able to live in adequate housing with all seven elements.

By signing the ICESCR in 1992, the Cambodian Government agreed to follow this law. Also, the **Cambodian Constitution**, the highest law in Cambodia, makes this international law a part of Cambodian law (see box below). This means that the government has a *legal duty* to make sure that human rights, including the right to adequate housing, are respected.

The Constitution of the Kingdom of Cambodia

Article 31: The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, conventions related to human rights, women's and children's rights.



When the government does not meet its duties it has broken **international human rights law** and the Cambodian Constitution.

LESSON 1 - WHAT IS ADEQUATE HOUSING?

AIM: Participants will know the seven elements of the right to adequate housing. Participants will understand that this right is protected by international law and the Constitution. They will be able to apply the seven conditions to their own situation and decide if their right to adequate housing is being respected.



MATERIALS: Whiteboard or flipchart, markers.

METHOD(S) USED: Brainstorm, group discussions, drawing, roleplays.

Procedure	Time Frame (in minutes)
1. Silent brainstorm	10
2. Explain the exercise and divide Participants into groups	5
3. Small group discussions and drawings	15
4. Group presentations	20
5. Introduce the information in Section 1	25
6. Debrief with roleplays	25
Total:	100

INSTRUCTIONS TO FACILITATOR

1. SILENT BRAINSTORM:

- Start the exercise with the two activities explained below. Do not explain the information in the above text until *after* the Participants have had a chance to think about adequate housing themselves.
- First, ask the Participants to close their eyes and say:

“Imagine a house that you would like to live in. The house has all the things you need to live a safe, happy and healthy life. Walk inside the house.”

Very slowly, pausing between each question to give the Participants time to think, ask the following:

1. What does the house look like?
(Pause)
 2. What is inside the house? What do you see?
(Pause)
 3. Who else is inside the house? What are they doing?
(Pause)
 4. Walk outside the house. What do you see? What does the outside of the house look like?
(Pause)
 5. What is around the house? What can you see and hear?
(Pause)
 6. Walk down the street. What can you see in your street
(Pause)
 7. Have a look at your whole neighborhood. What things are near to your house and in the neighborhood?
(Pause)
- Ask the Participants to open their eyes. Be aware that this can be a powerful and personal exercise and sometimes the Participants will need some time to think about what they just imagined.

2. EXPLAIN THE EXERCISE AND DIVIDE PARTICIPANTS INTO SMALL GROUPS:

- Explain to Participants that they will be divided into small groups. They will have 15 minutes to discuss and draw everything they think they need for their housing to be adequate.
- Tell Participants to think about what they need in the house, and what they need in the surrounding area.
- Divide the Participants into small groups of no more than five people. Give each group a big sheet of paper and markers.

3. SMALL GROUP DISCUSSION AND DRAWINGS:

- Walk around to the groups to make sure Participants understand what they need to do
- When Participants discuss and draw the things they think are needed for a house to be adequate, encourage them to think of the things they imagined while they had their eyes closed.
- Tell the Participants when they have five minutes left and when they have one minute left.

4. GROUP PRESENTATIONS:

- When the time for drawing is over, ask the groups to present their drawings to the rest of the class and explain what makes the house in their picture a good house and why it is a house they would want to live in.
- During each presentation, write on the board or chart any element mentioned by the Participants that matches one of the seven elements of the right to adequate housing (do not talk about the seven elements yet).
- For example, if they draw a tap, you can write on the board or chart “water” or if someone mentions that the house is big enough for the people living there, you can write “enough space.”
- If a group repeats or says similar things to another group, there is no need to rewrite that element.
- If Participants mention things that are not part of the right to adequate housing – and not really necessary to live in dignity (for example, a television), when they finish their presentation you can ask which things in their picture people would give up first or could live without. This is so Participants understand the difference between luxuries and elements of the right to adequate housing.

- The drawings should then be stuck on the walls so Participants can see them for the rest of the training.

5. INTRODUCE THE INFORMATION IN SECTION 1:

Section 1 - It is important that Participants understand:

- What the seven elements of adequate housing are.
- That adequate housing is a basic human right and is necessary for people to live happy, healthy and free lives.
- That the right to adequate housing is protected by international law and the Cambodian Constitution.

- When explaining the seven elements, start with the elements that matched Participants' ideas during the group presentations.
- After that, explain the other elements of adequate housing that were not discussed by the Participants.
- Write all seven elements of the right to adequate housing on a flipchart paper and post it on the wall so that Participants can see it for the rest of the training.

6. DEBRIEF:

- Divide the Participants into seven small groups and give each group one of the elements of adequate housing.
- Each group will have five minutes to prepare a one-minute role play on their element of adequate housing. The only rule is that they cannot speak or use any written words during the roleplay.
- Go around to each group to make sure they understand the element they have been given. Each group will then act out their roleplay without speaking.
- The other Participants should call out the element if they know what it is. Once the Participants guess the element, the next group should come up and act out their element.

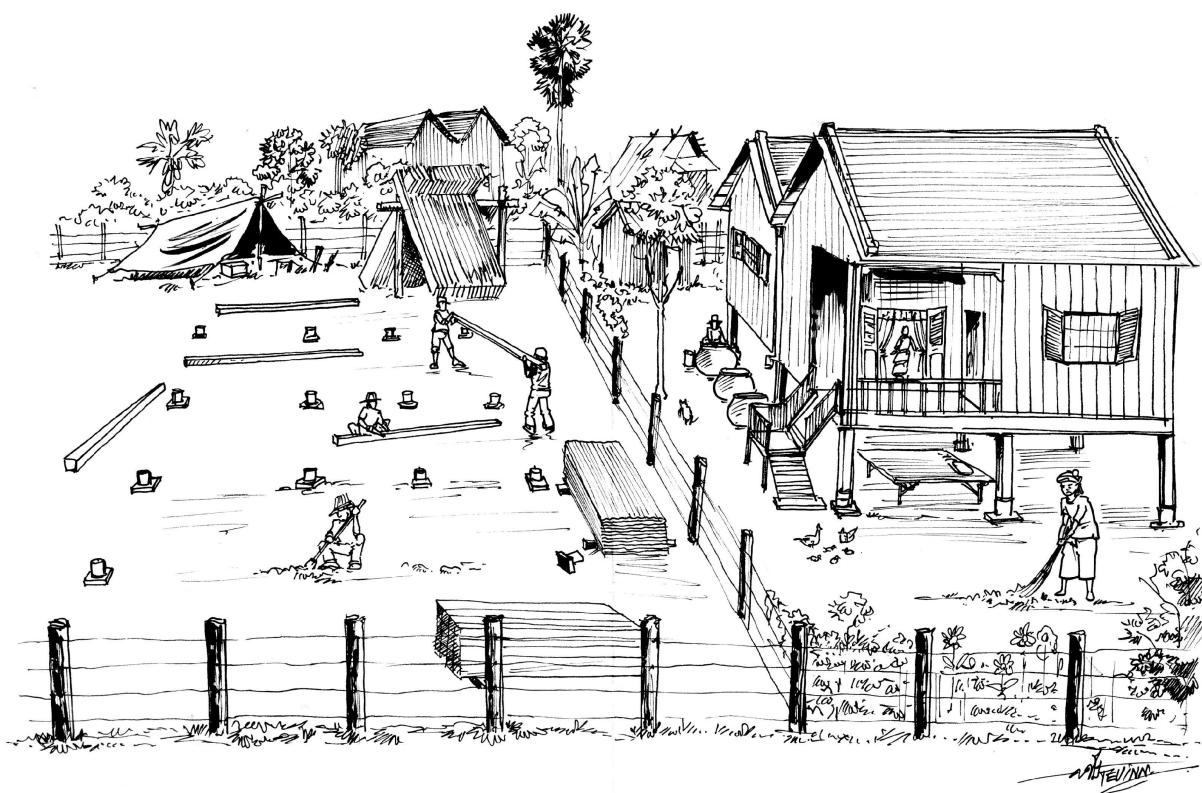
2. GOVERNMENT DUTIES AND THE RIGHT TO ADEQUATE HOUSING

Cambodia is a developing country and many poor Cambodians still do not have adequate housing, like many other poor people in the world. *But because adequate housing is a human right, the Cambodian government has certain duties to make sure more and more people can live in adequate housing with all its elements.*



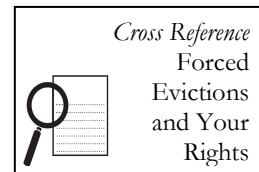
The government has three main duties under international law:

- The government must *respect* people's right to adequate housing
- The government must *protect* people's right to adequate housing
- The government must *take steps to help* all people have adequate housing



2.1. THE GOVERNMENT MUST RESPECT THE RIGHT TO ADEQUATE HOUSING

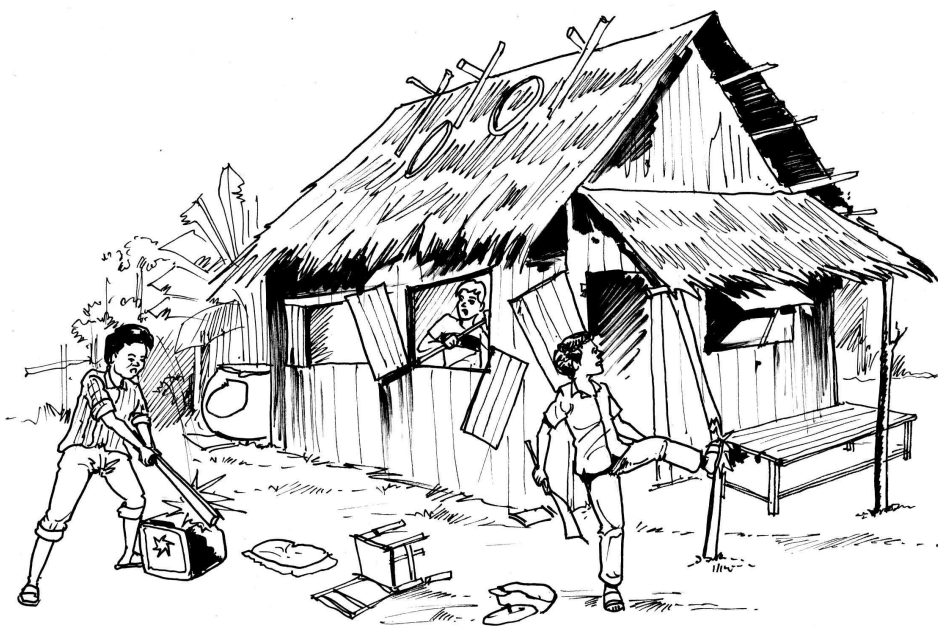
The government must not take any action that makes someone's housing situation worse. For example, the government should not destroy someone's house or force them to move away from their home without a very good reason. If the government has a very good reason to make people leave their homes, these people must not end up living in worse conditions. In fact, their new housing must also meet the elements of the right to adequate housing discussed in the previous lesson.



This community is being relocated to an inadequate site.

2.2. THE GOVERNMENT MUST PROTECT THE RIGHT TO ADEQUATE HOUSING

The government must protect people's houses from being damaged by other people or companies. The government must do this by passing laws and punishing people who damage other people's houses or try to steal their houses and land. They must also train the police to protect people's houses and land if other people try to take or destroy them.



Police arrest men responsible for trying to destroy someone else's home.

2.3. THE GOVERNMENT MUST TAKE STEPS TO HELP ALL PEOPLE HAVE ADEQUATE HOUSING

It is not likely that governments of poor countries like Cambodia will be able to make sure that *all* their people live in adequate housing *immediately*. But governments still have the duty *to take all the actions they can* to help people with inadequate housing to improve their housing over time. For example, the government may be able to give small loans to people so that they can improve their homes.



LEESON 2 - THE GOVERNMENT'S DUTY TO GUARANTEE PEOPLE'S RIGHT TO ADEQUATE HOUSING

AIM: Participants will recognize that the government has a duty to guarantee people's right to adequate housing. They will be able to apply this duty to the different elements of adequate housing and recognize when the government is respecting or violating its duties.



MATERIALS: Whiteboard or flipchart, markers, the "government duties chart" written on flipchart paper, copies of Handout 1 and Handout 2.

METHOD(S) USED: Group discussions, questions and answers.

Procedure	Time Frame (in minutes)
1. Class discussion of pictures on adequate housing	15
2. Introduce the information in Section 2	15
3. Explain the exercise and divide Participants into groups	5
4. Small group discussions	10
5. Class discussion	20
6. Debrief	15
Total:	80

INSTRUCTIONS TO FACILITATOR

- Make sure you have enough copies of the pictures from Handout 1 so that Participants can look at the pictures in pairs.
- Before the lesson, prepare a copy of the chart below on a flipchart paper.

GOVERNMENT MUST	ELEMENT OF THE RIGHT TO ADEQUATE HOUSING	GOVERNMENT MUST NOT
	The house must have enough space, privacy and protection from the weather.	
	The cost of housing must not be too expensive.	
	People must have security of land tenure to be protected against forced evictions.	
	Everyone has the right to live in adequate housing without discrimination.	
	The house must have access to basic facilities, such as water and sanitation.	
	The house must be in an appropriate location, near such things as schools or hospitals and in an unpolluted area.	
	The house must be built in a way that respects people's culture and traditions.	

1. GROUP DISCUSSION OF PICTURES ON ADEQUATE HOUSING:

- Start by asking the Participants what the seven elements of the right to adequate housing are
- Hand out copies of the pictures from Handout 1. For each picture, ask Participants the following two questions:
 1. What do you think is happening in the picture?
 2. What element (or elements) of the right to adequate housing is not being respected in the picture?
- If the Participants are having difficulties understanding the picture, explain what is happening in each picture using the Suggested Answers box. Spend five minutes on each picture.

Picture 1



Picture 2



Picture 3



Suggested Answers:

PICTURE	ELEMENT OF THE RIGHT TO ADEQUATE HOUSING THAT IS NOT BEING RESPECTED
<p><i>Picture 1</i></p> <p>A community living near a factory. People are getting water from a polluted river, people look sick, there is trash in the community.</p>	<ol style="list-style-type: none"> 1. The housing is near a polluting factory that is harming their health. 2. Housing should be in an <i>appropriate location</i>.
	<ol style="list-style-type: none"> 1. The site has no clean water or waste collection. 2. The housing should have <i>access to basic services</i>.
<p><i>Picture 2</i></p> <p>A very poor house with holes in the roof and walls, and no protection from the weather.</p>	<ol style="list-style-type: none"> 1. The house does not give adequate protection from bad weather or other people. 2. Housing should have <i>space, privacy and protection</i> from the weather.
<p><i>Picture 3</i></p> <p>A forced eviction.</p>	<ol style="list-style-type: none"> 1. The people in the picture have been evicted. 2. People should have guarantees that they will not be evicted from their homes, this is called <i>security of tenure</i>.

2. INTRODUCE THE INFORMATION IN SECTION 2:

Section 2 - It is important that Participants understand:

- The government must *respect* the right to adequate housing by not violating the right.
- The government must *protect* the right to adequate housing by stopping others from violating the right.
- The government must *take steps to help* all people have adequate housing over time.

3. EXPLAIN THE EXERCISE AND DIVIDE PARTICIPANTS INTO GROUPS:

- Explain that Participants will work in small groups. Each group will receive a list of government actions and have 10 minutes to discuss and decide the following:
 - Is this something the government *must* do or *must not* do?
 - Which element of the right to adequate housing does this match?
- Divide the Participants into small groups and give each group a copy of the list of government actions from Handout 2.
- Explain that the groups must circle either MUST or MUST NOT for each government action.

GOVERNMENT ACTIONS	
1.	The government MUST/MUST NOT pass laws that make it illegal for companies to force people to leave their homes and land.
2.	The government MUST/MUST NOT force all people with HIV/AIDS to live in separate buildings that do not provide adequate shelter.
3.	The government MUST/MUST NOT help people who live in bad housing conditions to improve the quality of their homes, for example, by providing building materials that will protect people from the rain.
4.	The government MUST/MUST NOT disconnect water supply to a poor community.
5.	The government MUST/MUST NOT force indigenous communities to live in very high apartment buildings without access to farmland.
6.	The government MUST/MUST NOT make sure there is a school and market close enough to people's homes so they can send their children to school and buy and sell things at the market.
7.	The government MUST/MUST NOT allow only very big and expensive houses to be built in the centre of the city.

4. SMALL GROUP DISCUSSIONS:

- Move around the groups and listen to the group's discussions. Make sure that the Participants understand each action and what they need to do.

5. CLASS DISCUSSION:

- After 10 minutes, post the copy of the government duties chart on the board that you made before the lesson.
- Explain that the chart has the elements of the right to adequate housing in the middle column and two blank columns that say at the top the “Government must” and the “Government must not.”
- Instead of asking each group to present all of their answers, call someone from one group to come and place *one* of the government actions from Handout 2 in the correct box of the chart (next to the correct element of the adequate housing and in the correct column).
- Participants can write the example in or just write the number.
- Ask Participants to give their reasons. Then ask the rest of the class if they agree.
- After the correct answer is found, call a Participant from another group to present on the next government action. Continue until all actions have been placed in the correct box.
- Leave the chart on display, as it will also be used in the debrief.

Suggested Answers:

THE GOVERNMENT MUST	ELEMENT OF THE RIGHT TO ADEQUATE HOUSING	THE GOVERNMENT MUST NOT
<i>3... help people who live in bad housing conditions to improve the quality of their homes, for example, by providing building materials that will protect people from the rain.</i>	The house must have enough space, privacy and protection from the weather.	
	The cost of housing must not be too expensive.	<i>7...allow only very big and expensive houses to be built in the centre of the city.</i>
<i>1...pass laws that make it illegal for companies to force people to leave their homes and land.</i>	People must have security of land tenure to be protected against forced evictions.	

	Everyone has the right to live in adequate housing without discrimination.	<i>2...force all people with HIV/ AIDS to live in a separate building that does not provide adequate shelter</i>
	The house must have access to basic facilities, such as water and sanitation.	<i>4...disconnect water supply to a poor community.</i>
<i>6...make sure there is a school and market close enough to people's homes so they can send their children to school and buy and sell things at the market.</i>	The house must be in an appropriate location, near such things as schools or hospitals and in an unpolluted area.	
	The house must be built in a way that respects people's culture and traditions.	<i>5...force indigenous communities to live in very high apartment buildings without access to farmland.</i>

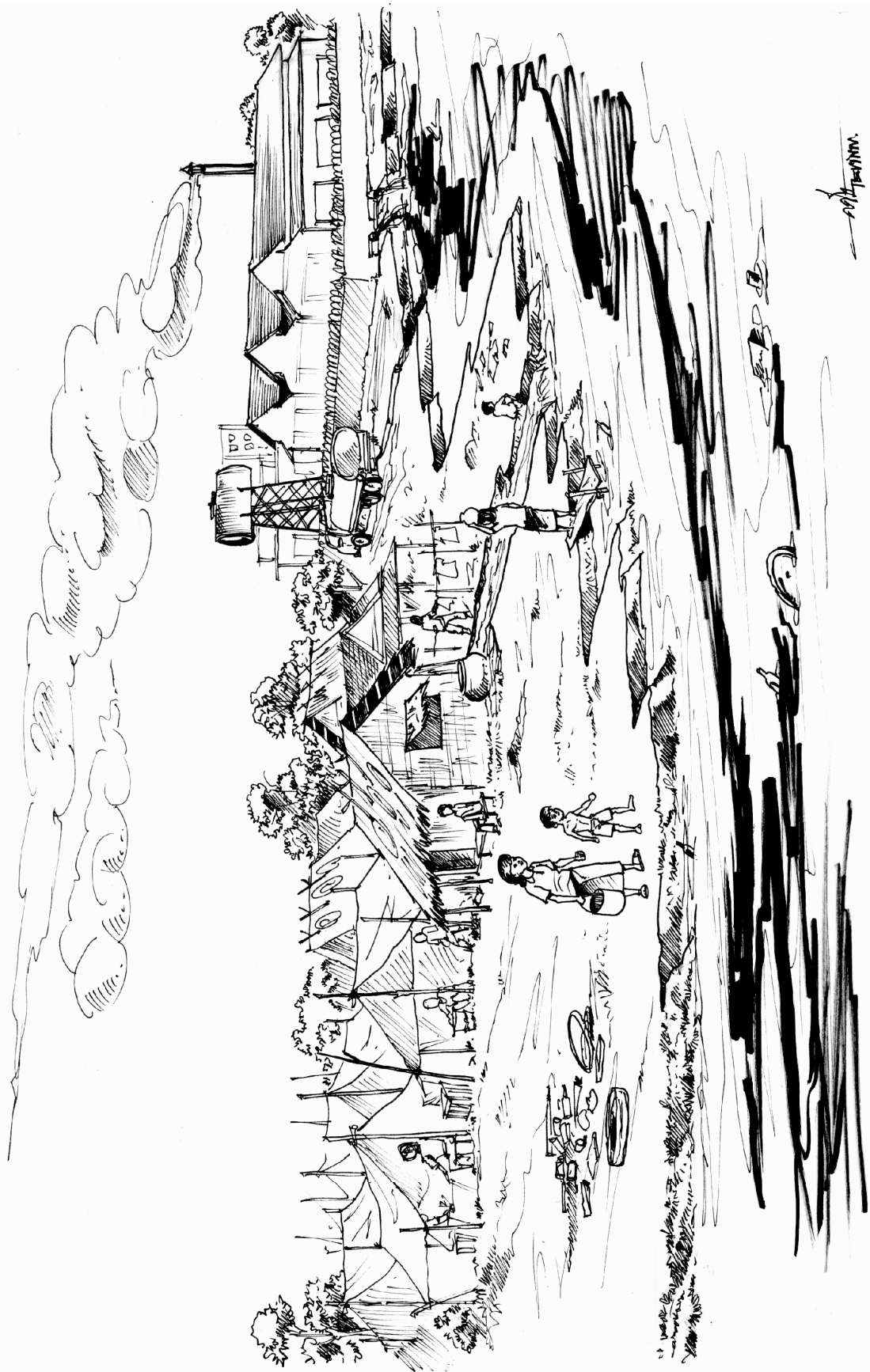
6. DEBRIEF:

- Now divide the Participants into seven groups and give each group one of the elements of adequate housing.
- After the previous exercise you should have a table that has seven boxes still empty.
- Explain that all groups have five minutes to come up with an idea for the “missing” government action for their element of adequate housing.
- For example, if a group is given the element "*Everyone has the right to adequate housing without discrimination,*" you will see on the above chart that there is already an example of what the government *must not* do. The group must think of something that they *must* do.
- After the time for group discussions is over, ask each group to explain their example to everyone else.

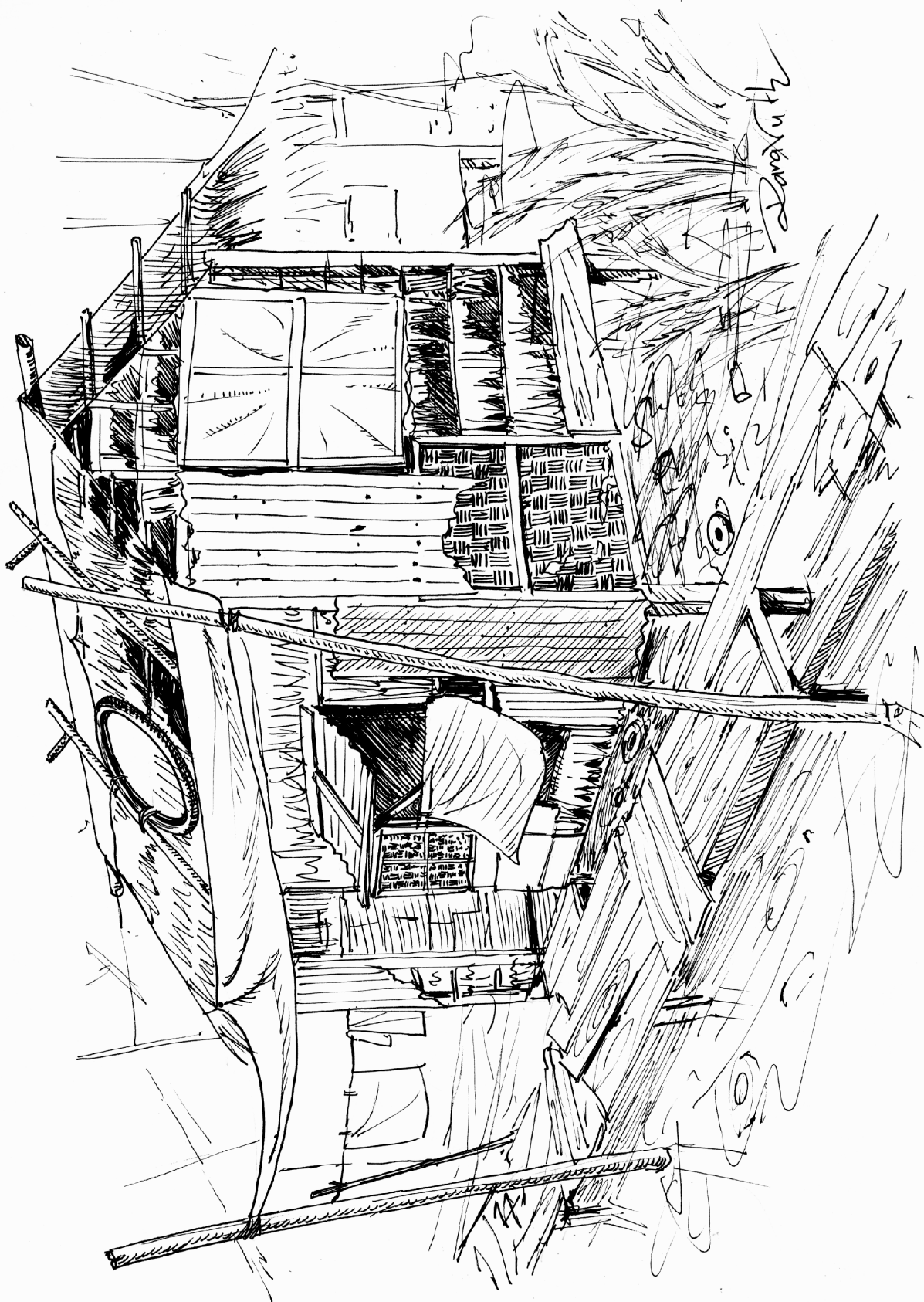
DIFFICULT TERMS:

1. **Constitution:** The highest law in Cambodia. The Constitution set the rules for the system of government in Cambodia. All laws passed by the government and all decisions of State institutions must follow the Constitution.
2. **International Covenant on Economic, Social and Cultural Rights (ICESCR):** One of the most important international human rights laws. It protects human rights like people's right to education, healthcare and adequate housing.
3. **International human rights law:** Law that recognizes the human rights of individuals around the world and that places legal duties on governments to respect those rights. The Constitution recognizes international human rights law as part of Cambodian law.
4. **Security of land tenure:** Legal guarantees that people will not be forced to leave their homes and land (unless it is absolutely necessary and allowed under the law). This applies to everyone – including owners, possessors, renters and occupiers. Without this guarantee, people would be living in fear of being pushed from their homes at any time.

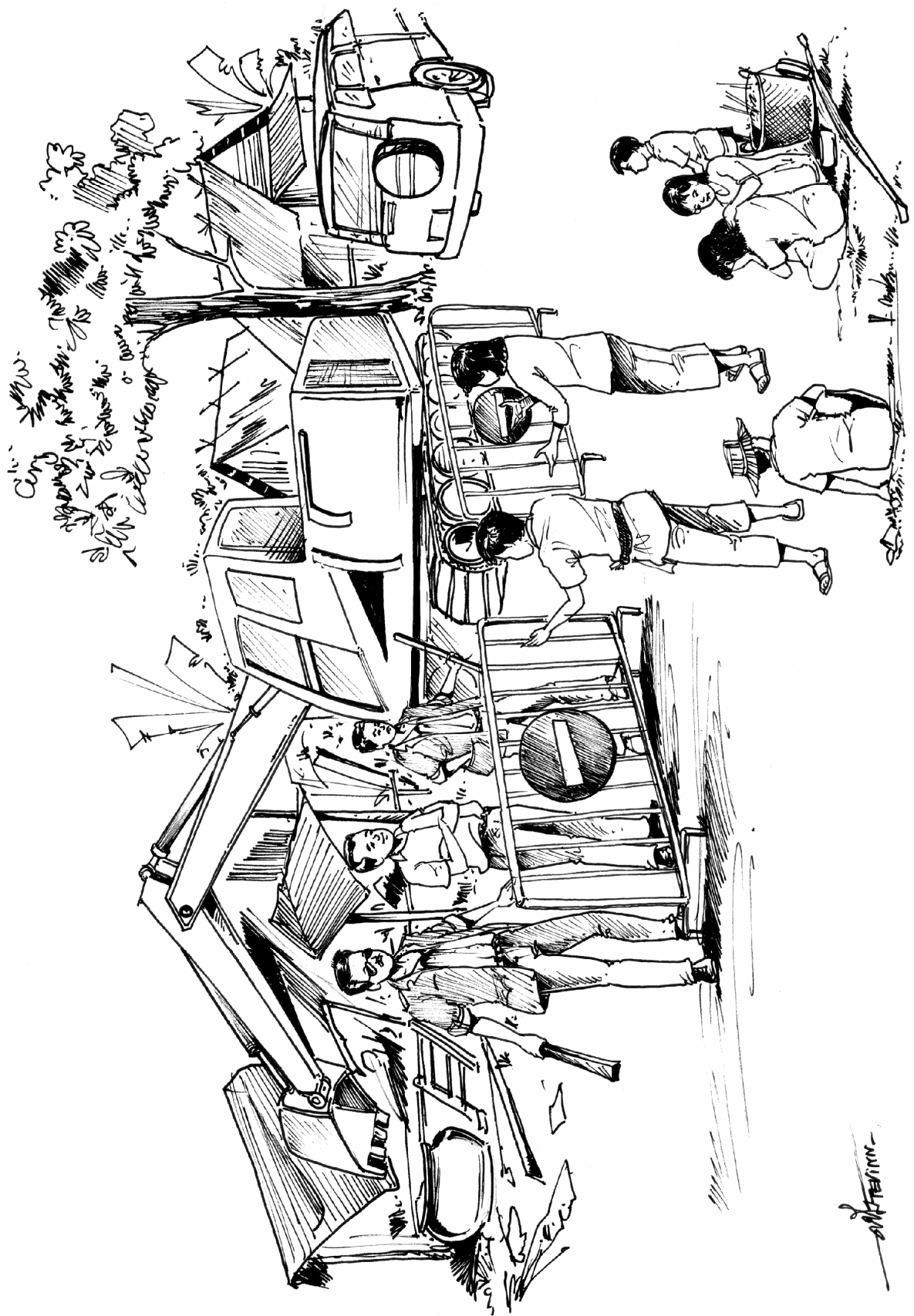
Picture 1



Picture 2



Picture 3



HANDOUT 2 – LESSON 2

Government actions:

1. *The government MUST/MUST NOT pass laws that make it illegal for companies to force people to leave their homes and land.*
2. *The government MUST/MUST NOT force all people with HIV/AIDS to live in separate buildings that do not provide adequate shelter.*
3. *The government MUST/MUST NOT help people who live in bad housing conditions to improve the quality of their homes, for example, by providing building materials that will protect people from the rain.*
4. *The government MUST/MUST NOT disconnect water supply to a poor community.*
5. *The government MUST/MUST NOT force indigenous communities to live in very high apartment buildings without access to farmland.*
6. *The government MUST/MUST NOT make sure there is a school and market close enough to people's homes so they can send their children to school and buy and sell things at the market.*
7. *The government MUST/MUST NOT allow only very big and expensive houses to be built in the centre of the city.*

EVICCTIONS AND YOUR RIGHTS

OUTCOMES

After completion of this module, Participants will:

1. Understand the difference between evictions and forced evictions.
2. Understand that under international law, evictions must be absolutely necessary.
3. Understand that under international law, evictions must also follow certain rules that respect people's human rights.
4. Know what the government's duties are before, during and after an eviction.

1. EVICTIONS

An **eviction** is when people are made to leave their homes or land by the government or someone else. Evictions happen to people living in both the city and the countryside and they can happen for many different reasons. In Cambodia, people have been evicted because of:

- Development projects like roads, dams, and bridges
- Projects to develop the city
- Large plantation projects
- Land-grabbing by powerful people

People are also evicted because:

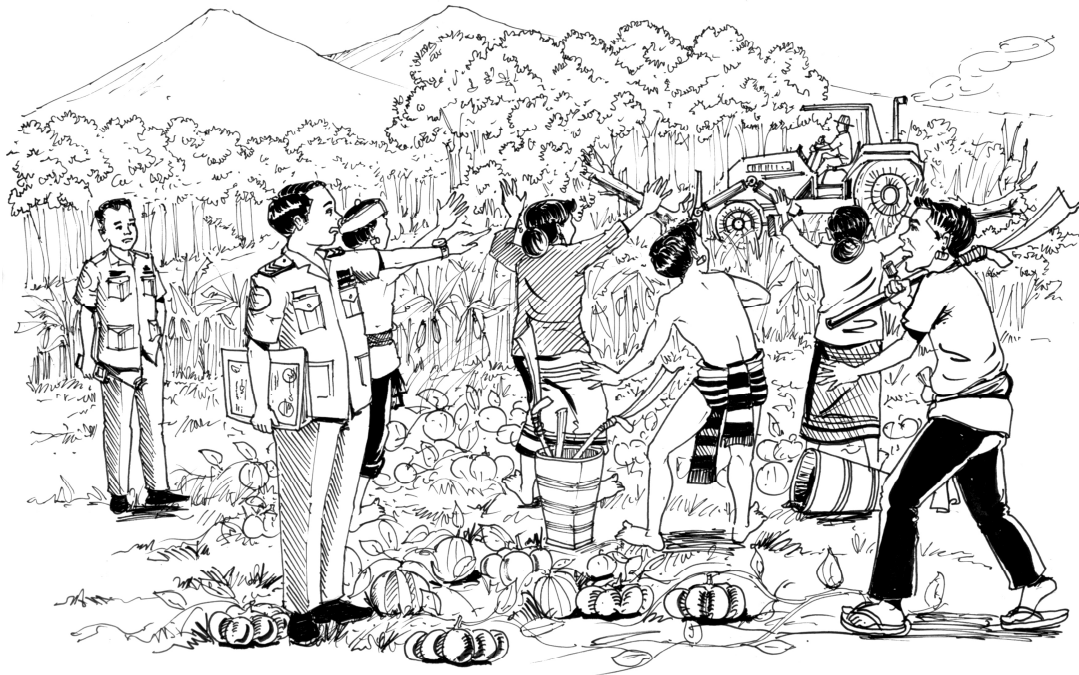
- They did not pay rent to the landowner
- They are living on other people's land
- They are illegally living on some kinds of State land

Some of these evictions may be allowed if certain rules are followed, while others are always illegal under international law. If people are forced to leave their home or land *and* the international rules to respect the rights of those being evicted are not followed, this is a violation of international law and is called a **forced eviction**.¹⁷



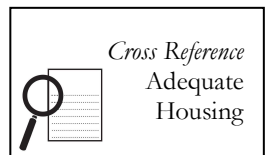
This section will explain the international rules that must be followed for an eviction to be legal.

¹⁷ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraph 3.

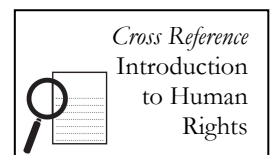


1.1. EVICTIONS MUST RESPECT HUMAN RIGHTS

As we have learned, adequate housing is something that everyone needs in order to live happy, healthy and free lives. Everyone has the right to adequate housing.¹⁸ Forced evictions violate people's right to adequate housing, and in particular their right to security of land tenure. Other human rights are also violated when people are forcibly evicted.¹⁹



Evictions can have very serious negative impacts on people's lives. For this reason, the United Nations decided that there was a need for specific rules to protect people's rights in cases of eviction. Today there are clear international rules about what governments must do in cases of eviction to make sure people's rights are respected. If an eviction happens in a way that does not follow these international legal rules then it is a forced eviction.



1.2. GOVERNMENTS HAVE THREE MAIN DUTIES TO PREVENT FORCED EVICTIONS

1. The government must not force people to leave their home or land unless it is absolutely necessary.
2. The government must not allow other people to forcibly take a person's home or land.

¹⁸ International Covenant on Economic, Social and Cultural Rights, Article 11.

¹⁹ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraph 8.

3. The government must pass laws and take other actions that give people security of land tenure and protect them from forced evictions.

If an eviction is planned, international law says that the government must first make sure that it is *absolutely necessary*. If it is not absolutely necessary, then the eviction should not happen. If it is absolutely necessary, rules must be followed to make sure that people's rights are respected *before, during* and *after* the eviction.²⁰

Reminder: International human rights law is part of Cambodian law

International human rights law is recognized by the Constitution, which is the highest law in Cambodia.²¹ This means international human rights law is part of Cambodian law. It means that the government has an obligation under the Constitution to prevent forced evictions. The government also has an obligation under the Constitution to make sure that when evictions happen, people's human rights are respected.



²⁰ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997.

²¹ Constitution of the Kingdom of Cambodia, Article 31.

LESSON 1 - WHAT ARE EVICTIONS AND FORCED EVICTIONS?

AIM: Participants will understand what evictions are and that for an eviction to be legal, international human rights law must be followed. When international human rights law is not followed it is called a forced eviction. Participants will have the opportunity to share their own eviction stories or stories they have heard.



MATERIALS: Whiteboard or flipchart, markers.

METHOD(S) USED: Simulation, class discussion, stories, questions and answers.

Procedure	Time Frame (in minutes)
1. Surprise simulation	10
2. Introduce the information in Section 1	20
3. Participants share stories	20
4. Debrief	10
Total:	60

INSTRUCTIONS TO FACILITATOR

1. SURPRISE SIMULATION:

- Start the exercise by choosing four Participants and forcing them to leave their seats without explaining why or giving them time to take their belongings. Tell them to stand close together in a small corner of the room.
- The area should be small so that it will be uncomfortable for them. You should take their seats and use them to sit comfortably in front of all the other Participants. Make sure *not* to explain to the Participants what you are doing or why.
- Start the lesson by asking other Participants to summarize what was learned in the previous lesson. Ignore the four Participants standing uncomfortably in the corner of the room.
- After a few minutes, ask the four Participants to return to their seats.
- Ask these Participants the following questions:
 - What just happened?
 - How did it make you feel to be forced to leave your seats and stand away from the class in the corner?
- Ask the other Participants who stayed in their seats how they felt.
- Explain that this was a simulation of a forced eviction. The individuals were not informed what was happening and their rights were not respected.

2. INTRODUCE THE INFORMATION IN SECTION 1:

Section 1 - It is important that Participants understand:

- That some evictions may be legal if they follow the rules set out in international law.
- That if the eviction does not follow these rules, it is a forced eviction.
- That all evictions must respect human rights.
- That the government has three main duties to prevent forced evictions.

- Explain that an eviction may be allowed to happen in some cases, if it is absolutely necessary. Tell Participants that they will discuss this in more detail in the next lesson.

3. PARTICIPANTS SHARE STORIES:

- Ask the Participants if they have heard about evictions before, and what they know about them. Encourage Participants to share their own experiences or the experiences of people and communities they know of who have been evicted. Ask them if they think there was a good reason for the eviction.
- Be careful not to pressure people into talking, as some may have painful stories which they do not want to discuss here.

4. DEBRIEF:

- Thank the Participants for sharing their stories and explain that in the following lessons they will learn more about what international rules must be followed for an eviction to be legal.
- To review the lesson, ask Participants the following questions:

1. When is an eviction allowed under international law?

Suggested answer: An eviction is allowed under international law if it is absolutely necessary and the international rules are followed to make sure that people's rights are respected before, during and after the eviction.

2. What are the government's three main duties to prevent forced evictions? (You can ask three different Participants to say one duty each.)

Suggested answer:

- The government must not force people to leave their home or land unless it is absolutely necessary.
- The government must not allow other people to forcibly take a person's home or land.
- The government must pass laws and take other actions that give people security of land tenure and protect them from forced evictions.

2. IS THE EVICTION ABSOLUTELY NECESSARY?

While governments must prevent forced evictions, an eviction may be legal in some cases, if it is absolutely necessary. In these cases, *two conditions* must be respected:

- There must be a genuine **public interest** or other good reason, and
- All possible ways to *avoid the eviction* must have been considered.

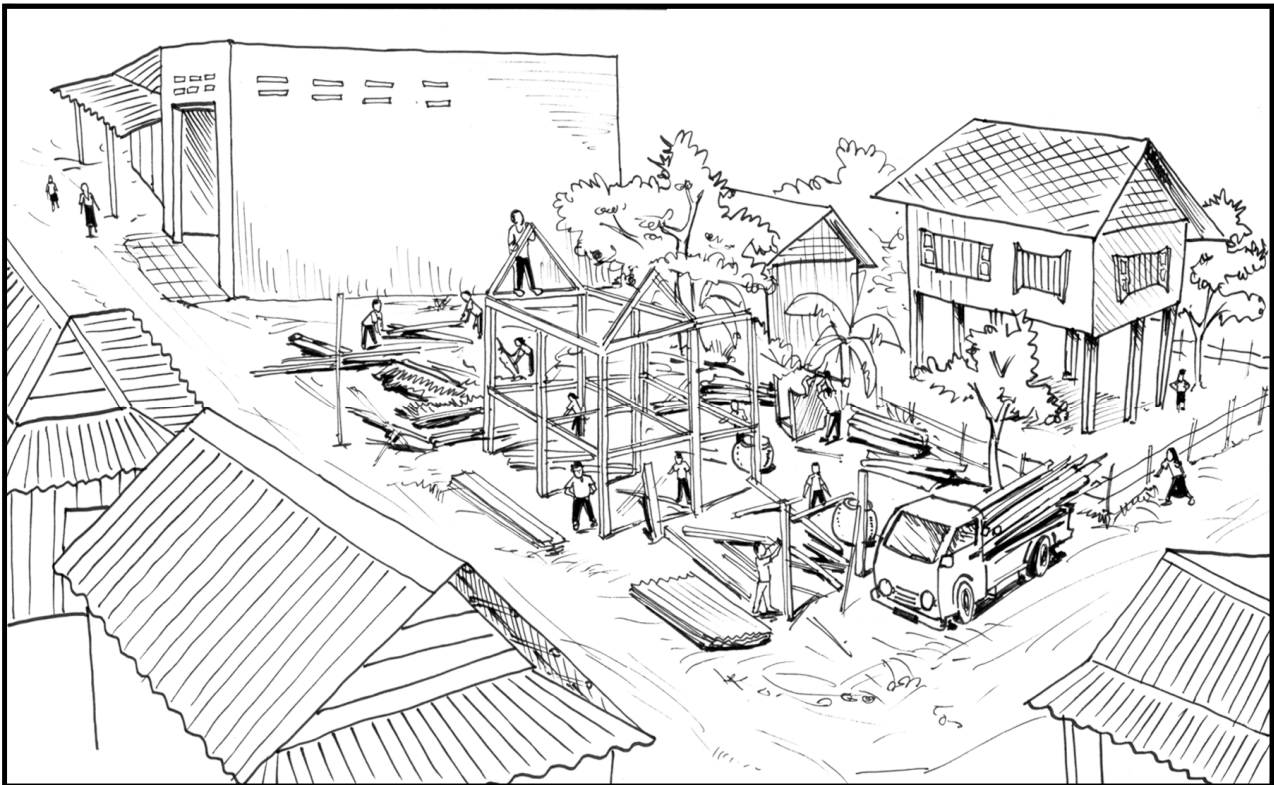
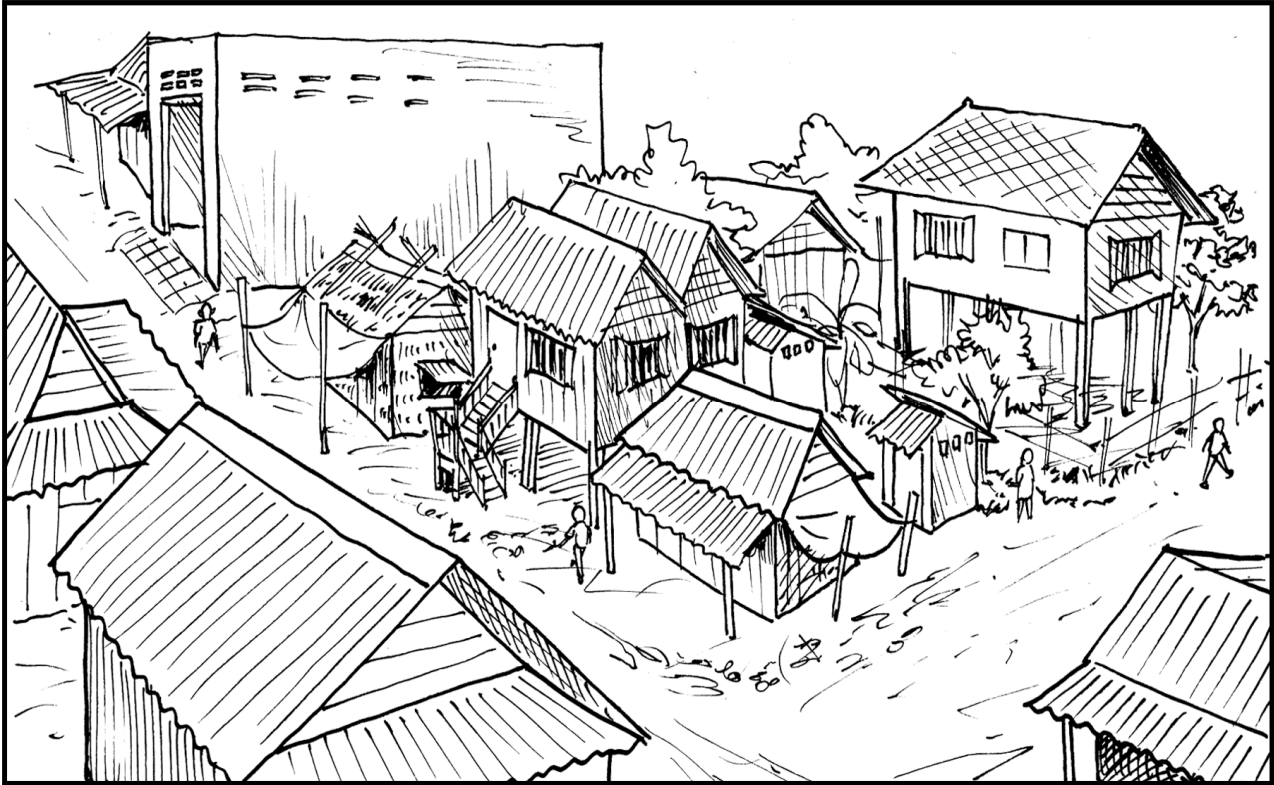


2.1. IS THERE A GENUINE PUBLIC INTEREST OR OTHER GOOD REASON?

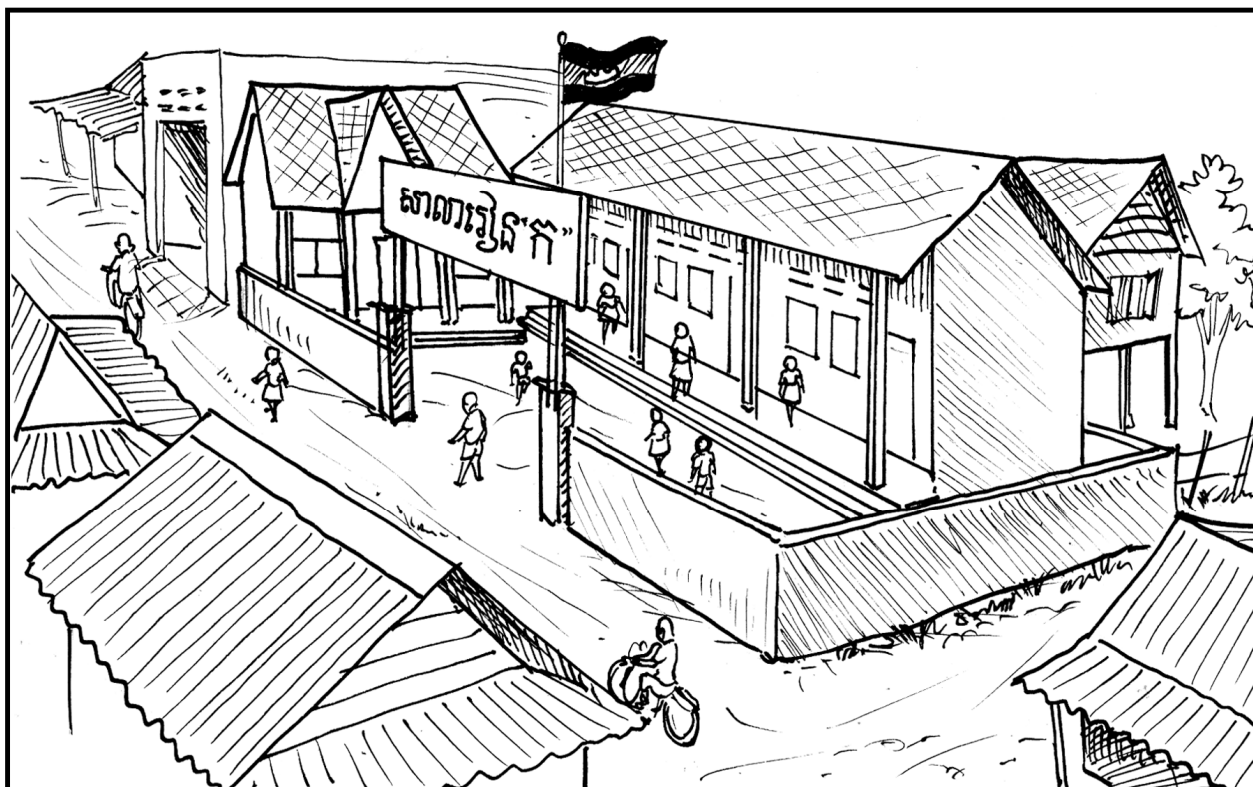
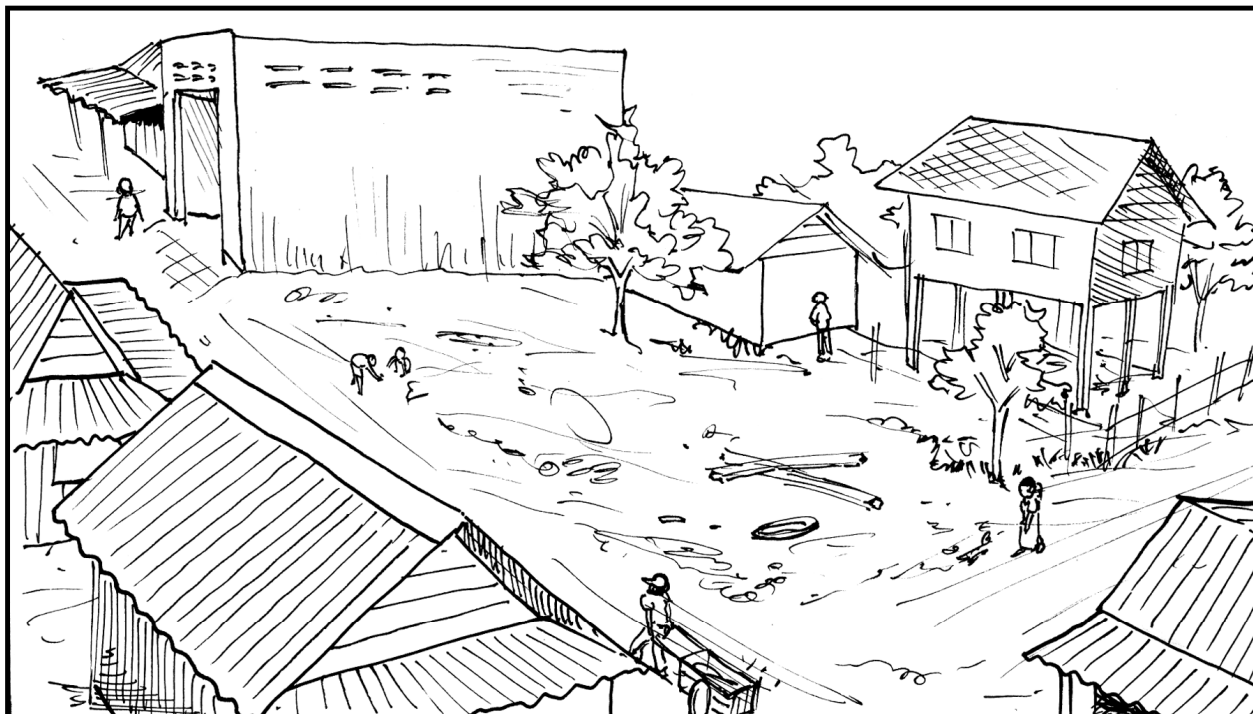
Sometimes, people may have to move from their home or land because the government needs to use their land *for a very good reason* that will help people improve their standard of living or keep them safe.²² When a project helps many members of the society to improve their lives, we say that the project serves the **public interest**.

For example, if a village needs a school and some houses need to be moved to make space for the school, it is possible that the government may be able to legally evict the people living in those houses. In this case the eviction may be necessary to improve the lives of Cambodians. This is an example of a project that serves the public interest. The government may have the right to legally evict people in this situation, even if the people do not want to move.

²² Committee on Economic, Social and Cultural Rights, General Comment 4, 1991, paragraph 18. Basic Principles and Guidelines on Development-Based Evictions and Displacement, 2006, paragraph 21.



In this case, some houses are being demolished to make way for a school



Because a public school serves the public interest, the eviction may be legal, even if the families do not want to leave.

It is important to understand that if land is going to be taken by the government, *it must be for the benefit of the people because it will serve the public interest or provide a public service*. The government cannot legally take away people's homes or land so that a few people can make a profit. In many countries, the government violates this rule by saying that a project is "for the public interest" or "for the country's development," even if many people disagree with the project or will be harmed by it. The government must make sure that a project really does serve the public interest. It can do this by asking for and considering people's opinions and ideas about the project.



If someone wants to build a private development for profit and they need people to move from their houses and land, they must make an acceptable offer to those people if they want to buy their land. They cannot force those people to move.

Some public interest reasons for an eviction may include:

- The construction or maintenance of public parks that are open for the public to enjoy and use;
- The building of a school that provides the public service of education;
- The building of a hospital that provides the public service of healthcare;
- The construction of roads and railways that provide the public service of transportation; and
- Moving people because they live in unsafe conditions, such as in buildings that are dangerous or on polluted or unstable land.

There are some other situations in which people can be legally evicted. For example, if somebody is renting a house and refuses to pay rent or seriously damages the house, the house owner has a right to ask a court to order the authorities to evict the renter. Another example is if people are illegally occupying somebody else's land. The landowner has the right to ask a court to order the authorities to evict the people if he or she can show proof of ownership.

2.2. HAVE ALL POSSIBLE WAYS TO AVOID THE EVICTION BEEN CONSIDERED?

Even when there is a genuine public interest reason, there is another condition that must be respected for an eviction to be legal. The government must also have made sure there were *no other possible ways to meet its goal without evicting people*.²³

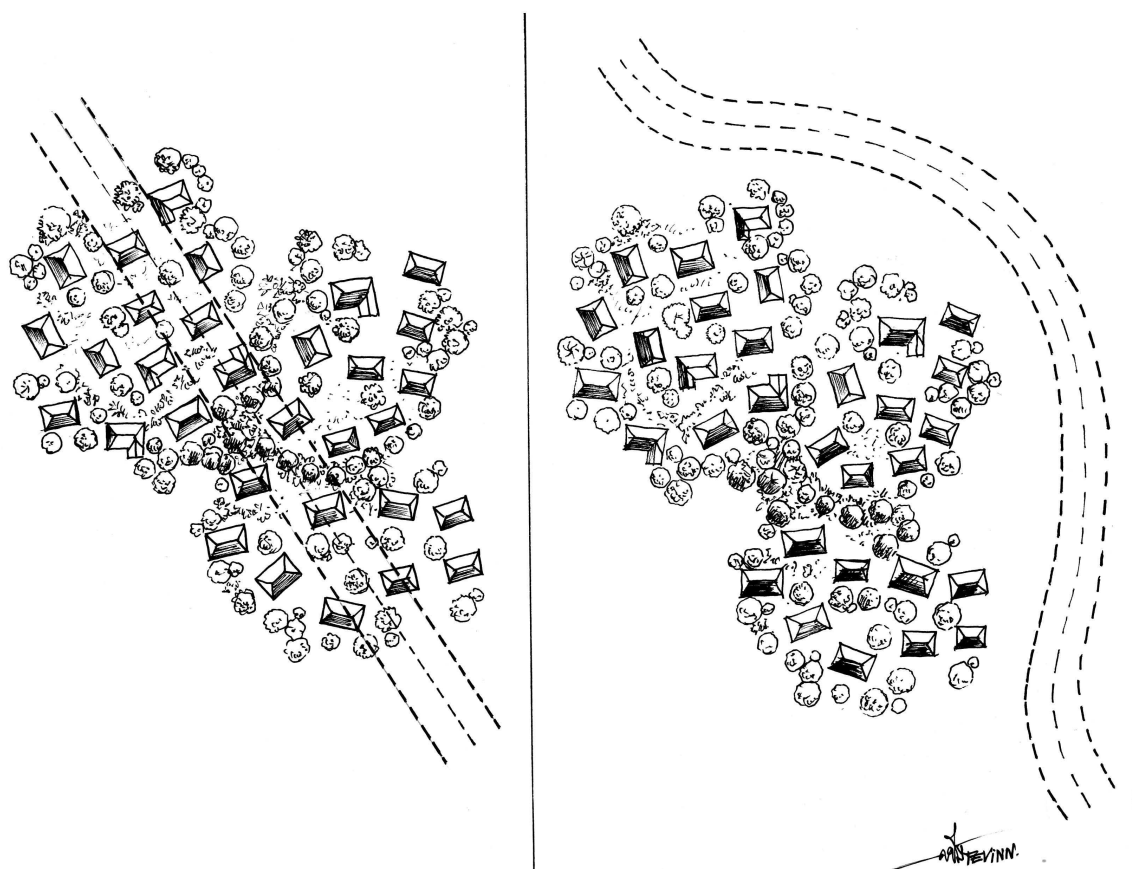


For example, imagine that the government needs to build a new road from Phnom Penh to Kandal because the main road is too crowded with traffic. One option is to build the road through three villages. This would mean that 300 families would have to be relocated. Another option would be to build the road around the villages so that no families would have to move. In this case, the second option would be more expensive

²³ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraph 13.

but still affordable for the government. Under international law, the government should choose the second option, even if it would cost more.

If the government has no choice but to evict some people, it should make sure that the number of people who will be evicted is as small as possible.



If possible, the government should choose the road project that would avoid evictions.

When considering other options to avoid the eviction, and before making its decision, the government must consult with the affected people. People may be able to offer ideas and opinions about how the government could achieve its goal without evicting anyone.

LESSON 2 - WHEN ARE EVICTIONS ABSOLUTELY NECESSARY?

AIM: Participants will know when evictions are absolutely necessary. They will understand the two conditions that must be respected for evictions to be allowed under international law.



MATERIALS: Whiteboard or flipchart, markers, copies of Handouts 1 and 2.

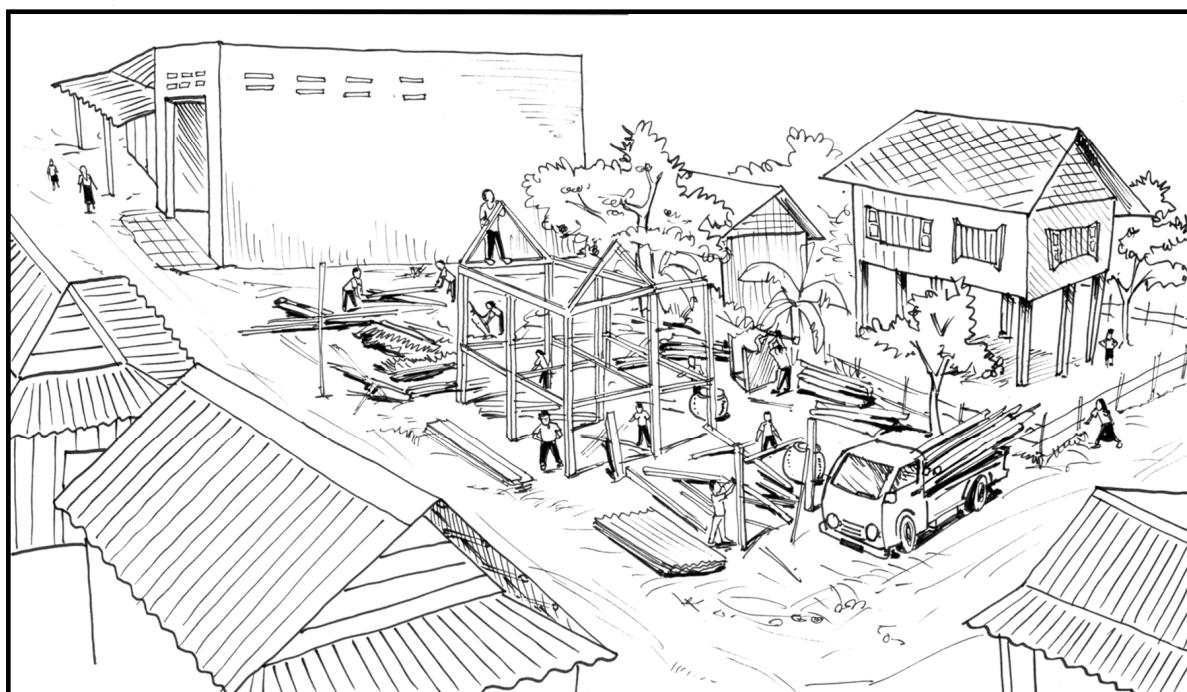
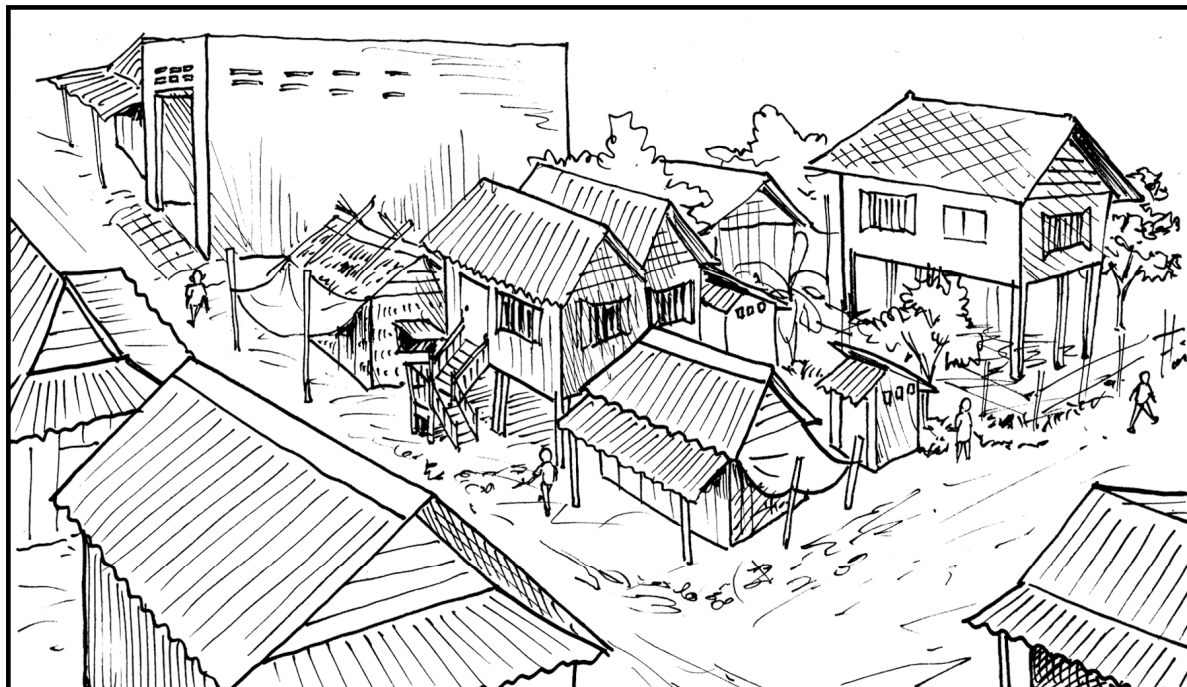
METHOD(S) USED: Questions and answers, class discussion, pictures.

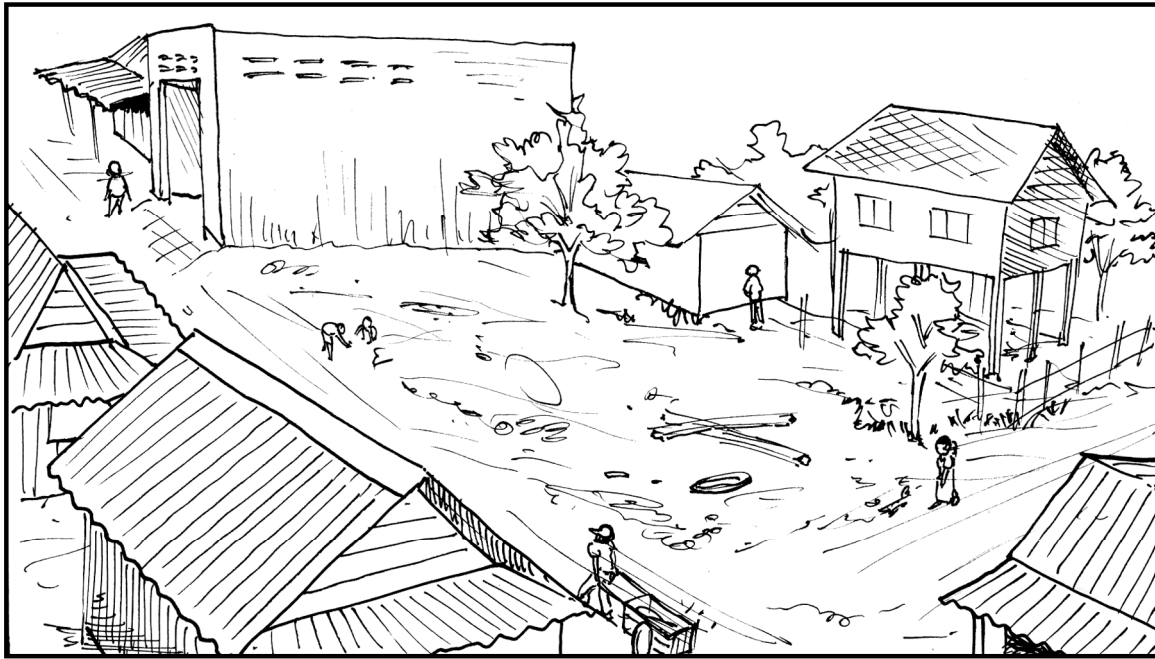
Procedure	Time Frame (in minutes)
1. Class discussion on “public interest”	10
2. Introduce the information in Section 2.1	25
3. Class discussion on ways to avoid an eviction	10
4. Introduce the information in Section 2.2	25
5. Debrief	10
Total:	80

INSTRUCTIONS TO FACILITATOR

1. CLASS DISCUSSION ON PUBLIC INTEREST:

- Show Participants the pictures from Handout 1.





- The picture above shows a case when the government has moved families from their homes to build a school on their land.
- Ask Participants the following questions:

1. What does the picture represent?
 2. Do you think there was a good reason for the government to take people's land?
- Using Section 2, explain that the rest of this lesson will discuss the basic conditions that must be followed for an eviction to be legal. The eviction must be:
 - In the public interest or for another good reason, and
 - All possible ways must have been considered to try to avoid the eviction.

2. INTRODUCE THE INFORMATION IN SECTION 2.1:

Section 2.1 - It is important that Participants understand:

- That for an eviction to be allowed under international law, it must be absolutely necessary, in these cases *two conditions* must be respected:
 - There must be a genuine **public interest** or other good reason, and
 - All possible ways to *avoid the eviction* must have been considered.
- That public interest means that many members of society will benefit.
- That development projects that benefit just a few, or are only for private profit, are not in the public interest.
- That there may be some exceptions where an eviction does not need to be in the public interest. For example, when a renter does not pay the rent, or if people live illegally on someone else's land.

- Next, ask the following questions:
 1. Can you think of more examples that might be public interest reasons to allow an eviction?
 2. Do you think the following projects are genuine public interest reasons to allow an eviction?
 - a. Building a public hospital for people in a poor neighborhood
 - b. Giving the land to a company for a rubber plantation
 - c. Building a dam to make more electricity for the country
 - d. Allowing a company to build a factory that will create many jobs
 - e. Cleaning up a garbage dumpsite where families live and earn money by recycling
 3. Other than public interest projects, what other reasons can you think of that are good and fair reasons for an eviction?

Suggested Answers:

1. Examples of public interest projects that may allow an eviction:
 - The construction or maintenance of parks that are open for the public to enjoy and use
 - The building of a school that provides the public service of education
 - The building of a hospital that provides the public service of healthcare
 - The construction of roads and railways that provide the public service of transportation
 - Moving people because they live in unsafe conditions, such as in buildings that are dangerous or on polluted or unstable land
2. Which examples are in the public interest?
 - a. To build a public hospital for people in a poor neighborhood:

This may be a genuine public interest project because the hospital provides the public service of healthcare for the people in the neighborhood.
 - b. To give the land to a company for a rubber plantation:

This is not a public interest project because it is for the benefit of a private company, not most Cambodians.
 - c. To build a dam to make more electricity for the country:

This may be a public interest reason for an eviction if many Cambodians are going to benefit from the electricity produced by the dam. However, if many people and the environment will be harmed by the dam, the government should consider what other options are available to make electricity.
 - d. To allow a company to build a factory that will create many jobs:

This is probably not a genuine public interest reason for an eviction because the eviction is for the benefit of a private company, even if it will create jobs for people. The private company should offer to buy people's land if necessary. (Some people might think this is a public interest project if many people need jobs in the village.)
 - e. To clean up a garbage dumpsite where families live and earn money from recycling:

This may be a genuine public interest reason for an eviction if the eviction is to protect the health of the families from dangerous conditions on the dump and improve the health and safety conditions in the town.

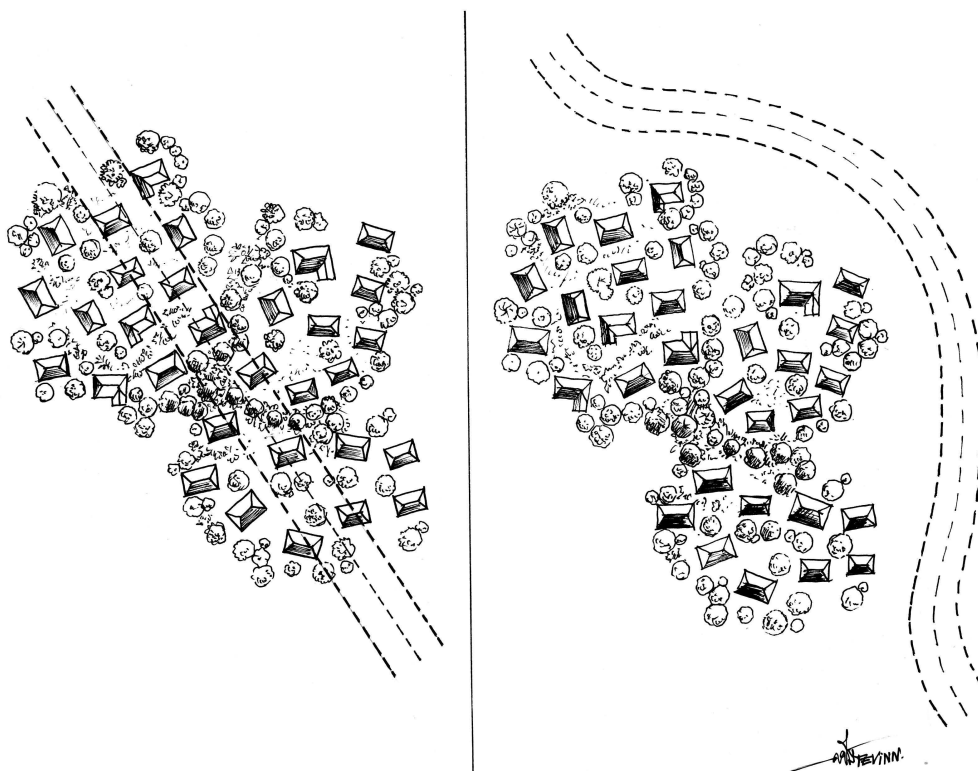
3. Other possible reasons for allowing an eviction could include:

- If renters are damaging the landowner's house or property;
- If renters are refusing to pay rent;
- If renters are doing something else that breaks their contract with the landowner;
- If people are illegally occupying somebody else's land.

In the above cases private owners have a right to get a court order for the authorities to evict the renter or the illegal occupier in these circumstances.

3. CLASS DISCUSSION ON WAYS TO AVOID THE EVICTION:

- Show Participants the second handout picture and explain that it shows two options for a road project.



- The first road project goes through the village and many families will have to be moved. The second project goes around the village, so no families will be evicted.
- Ask Participants the following questions:
 1. Can you describe the two road projects in the picture and how they will affect people in the village?

2. Which project do you think the government should choose? Why?

4. INTRODUCE THE INFORMATION IN SECTION 2.2:

Section 2.2 - It is important that Participants understand:

- That even if there is a very good reason for an eviction, all possible ways to avoid the eviction must have been considered.
- That if this is not done, the eviction is not allowed under international law.
- That as part of this process, the government should consult with the people who may be affected.

- Next, ask the following questions:

1. The government must consult people who will be affected by a project. They should ask these people if they have any ideas about how they could avoid an eviction but still achieve the project's goal.

Can you think of ways to avoid evictions for the following projects?

- a. Building a new hospital in a commune that has many houses in one area but empty unused land two kilometers away.
- b. Building a public park in the centre of Phnom Penh where a poor community now lives without adequate housing.

Suggested Answers

1. The government should consult with the affected people to get their ideas and opinions about how the government can achieve its goal without evicting anyone.

- a. Building a new hospital in a commune that has many houses in one area but empty unused land two kilometers away:

The government could build the hospital on the empty land instead of in the middle of the village. This would avoid the negative impacts of evicting the families living in the old buildings in the commune. It may be difficult for some very sick people to make the two kilometer journey to the hospital. In this case, the government should ensure that there is affordable transportation for people to get to the hospital.


- b. Building a public park in the centre of Phnom Penh where a poor community now lives without adequate housing:

The community could share the land with the government so that half the land is a park and half the land is for housing. In exchange for sharing their land, the government could help the community improve their housing.


5. DEBRIEF:

Ask Participants to think back to the stories they shared in the previous lesson. Do they think that any of these evictions were done because of a genuine public interest or other good reason, or were they forced evictions?

3. THE GOVERNMENT'S DUTIES BEFORE AN EVICTION

Even in the rare situations when evictions are allowed because they are absolutely necessary, *certain international rules must be followed in carrying out the eviction*. It is the duty of the government to make sure that an eviction respects these rules. There are rules that must be followed *before* the eviction, *during* the eviction and *after* the eviction to make sure people's human rights are respected and protected. 

The government has the duty to make sure that the following four things happen *before* an eviction takes place:

- Information is provided about the eviction and the reasons for the eviction.;
 - There is proper **consultation** with people who will be affected;
 - **Adequate and reasonable notice** is given that the eviction will take place on a certain date; and
 - **Adequate compensation** is agreed upon, which can include money, housing, and access to farming land or other things to ensure that people who are evicted can maintain or improve their living conditions.²⁴
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3.1. INFORMATION ABOUT THE EVICTION

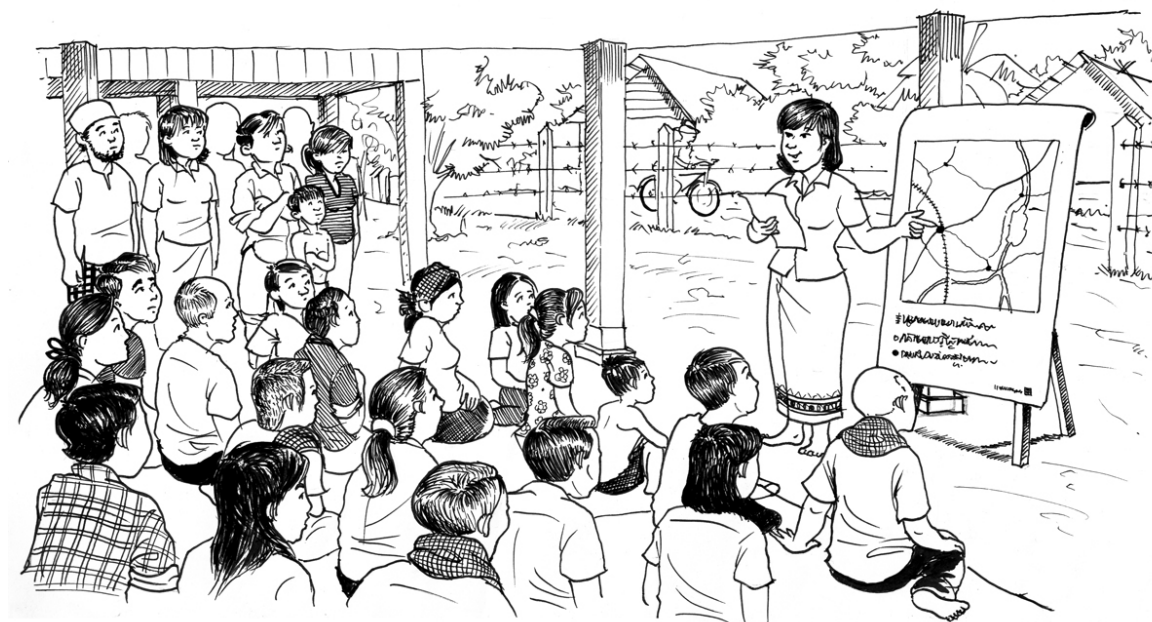
The government must make sure that people are informed about any planned eviction that may affect them.²⁵ They must also be told why their land is being taken and what their land will be used for. The government has a duty to show that there is a genuine public interest or other good reason for taking the land that makes the eviction absolutely necessary.

People must also be informed about their rights to be involved in decision-making about the eviction, including their right to go to court to challenge the eviction.

The information must be shared in a language and form that the affected communities can understand. For example, if many members of the affected communities cannot read, then the information must be shared through presentations, illustrations, photographs, videos, or visits to a similar project.

²⁴ Committee on Economic, Social and Cultural Rights General Comment 7, 1997, paragraphs 13, 15 and 16.

²⁵ Committee on Economic, Social and Cultural Rights General Comment 7, 1997, paragraph 15.



3.2. Consultation

The government must make sure that affected people are properly consulted about any planned eviction *before the decision to carry out the eviction has been made*.²⁶ The government must make sure that people are told that they risk losing their land or homes. They must then listen to and consider the people's opinions, comments and concerns about the eviction and the reason for the eviction. This consultation is *very important* because the affected people may have ideas about ways to avoid evictions or to limit the number of people who will be evicted.

If the eviction will be carried out, the government should also consult people about ways to make sure that they will have adequate housing after the eviction.²⁷ This should include consultation about compensation, plans for relocation and **livelihood options** after the eviction.

A good way to ensure that there is adequate consultation is for the government and affected people to prepare a **resettlement plan** together. A resettlement plan contains detailed information about the steps that will be taken to maintain or improve the lives and livelihoods of the affected people, including a timeline for when all of these activities will take place.

²⁶ Committee on Economic, Social and Cultural Rights General Comment 7, 1997, paragraphs 13 and 15.

²⁷ Basic Principles and Guidelines on Development-Based Evictions and Displacement, 2006, paragraph 56.



3.3. ADEQUATE AND REASONABLE NOTICE

The government must make sure that all people affected by an eviction receive adequate and reasonable notice before the planned date of the eviction.²⁸ Everyone affected must be notified and the government must make sure everyone understands the information about the eviction. The notice must be given well in advance of the eviction date so that the community has a chance to prepare for the move or plan what to do in response to the eviction notice. The notice must contain information about the reason for the eviction and the exact date and time that it will take place.



²⁸ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraph 15.

3.4. ADEQUATE COMPENSATION

When people are evicted, the government must make sure that their right to adequate housing and other human rights are not violated.²⁹ This means that the government has a responsibility to ensure that the people who are evicted have access to alternative adequate housing and are able to maintain, or even improve, their living conditions and livelihoods. The government should consult the affected people and make a plan about how they will be able to do these things after they move.

One important part of this plan is compensation. The government must make sure that people are offered adequate compensation to replace any property that they own which will be affected by the eviction.³⁰ This includes people's land, house and any other possessions. The government should ensure that displaced people are compensated for all these kinds of losses. Compensation can also include property that is shared by the entire community, such as a community center, grazing lands, a market, or a temple.

Compensation can take different forms, for example:

- Money to pay for the house, land and property that will be affected (The money must be enough for people to access adequate replacements);
- Directly providing people with replacements for what they lost—like building new houses and providing replacement farmland or market stalls;
- Assistance to start new businesses, plant new crops or travel to work;
- Sharing the benefits of the development project with the local community (for example, if a community must be evicted to make room for a hydropower dam that will create electricity, the affected community could be provided with free electricity in their new homes); or
- Some combination of the above.

If a whole community or village is being evicted, the government and the people being evicted might agree that a **resettlement site** is the best option for compensation and ensuring that people have adequate housing after they move. If this is the case, it is a good idea if representatives of the community or village help to identify and agree on the location of the resettlement site. They should also agree on what should be built on the site. It is important for representatives to visit the site before the community has to move to make sure that it has all the things that were agreed upon. The resettlement site must be completed, with all the facilities that were agreed upon, *before people are evicted*. Resettlement sites will be discussed in more detail later.

²⁹ Committee on Economic, Social and Cultural Rights General Comment 7, 1997, paragraph 16.

³⁰ Committee on Economic, Social and Cultural Rights General Comment 7, 1997, paragraph 13.

LESSON 3 - WHAT ARE THE GOVERNMENT'S DUTIES BEFORE AN EVICTION?

AIM: Participants will understand the government's duties before an eviction and be able to identify when these duties are not being respected.



MATERIALS: Whiteboard or flipchart, markers, copies of Handout 3.

METHOD(S) USED: Case study, drawings, group discussion, presentation, role-play.

Procedure	Time Frame (in minutes)
1. Watch activity	10
2. Introduce the information in Section 3	20
3. Explain the exercise	10
4. Group discussions and drawings	15
5. Group presentations	20
6. Debrief	15
Total:	90

INSTRUCTIONS TO FACILITATOR

1. WATCH ACTIVITY:

- Start by asking a Participant wearing a watch to give it to you. If the Participant gives you the watch, put it in your pocket. Make it look like your intention is to keep the watch. (Note: If many Participants are not wearing watches, you can also do this activity with mobile phones or anything else of value that the Participants have.)
- You should then ask a different Participant who has a watch to give it to you. If the Participant asks why you want it, say that you need it to keep time during the lesson.
- If the Participant refuses to give the watch, ask them if they can help think of another way that you can keep time during the lesson.
- Before the lesson you should secretly plan with one of the Participants to offer to lend you a watch if others refuse to give you theirs. He or she should ask that you return it at the end of the lesson and you should take the watch and agree.
- When the Participant gives you the watch, either put the watch in your pocket or pretend to sell the watch to another Participant or Facilitator.
- Next, try again to get another Participant's watch but offer to give some money for it.
 - Start by offering one dollar for the watch. If the Participant does not agree to give the watch for one dollar, ask the Participant how much he or she wants for the watch and agree to that price.
 - Before taking the watch, say you will pay the money in about *one month*. The Participant will likely not agree to this.
 - Finally, offer to give the Participant the price he or she wants *before* they give you the watch.
- Give back any watches that were taken from Participants and thank them for their cooperation in the activity. Ask the Participants who gave up their watches the following questions
 1. Why did you give up your watch?
 2. What did you need or want in order to give up your watch?

- Explain that this activity aimed to demonstrate to Participants what they should get before giving away something that is valuable to them – in this case, their watches.
 - The Participants needed *information* about what the watch was needed for – to keep time for the whole class, and not just because the Facilitator liked it.
 - The Participants needed to be *consulted* to see if there was another way to teach the lesson without taking the watch permanently.
 - The Participant needed *fair compensation* for the watch *before* it was taken.
- Point out that a house is a lot more valuable than a watch and everyone has the right to adequate housing. It is even more important that certain conditions are met before people are expected to give up their homes.

2. INTRODUCE THE INFORMATION IN SECTION 3:

- Explain that even in the rare situations when evictions may be allowed because they are absolutely necessary, certain rules must still be followed in carrying out the eviction. The government has duties before, during and after evictions.
- Next, introduce the information in Section 3.

Section 3 - It is important that Participants understand:

- That before an eviction, the government must give affected people adequate information about the situation.
- That the government must consult with people about the reasons for the eviction *before* the decision is made to carry out an eviction. If a decision is made to carry out an eviction, the government must consult with the affected people about access to alternative adequate housing after the eviction.
- That affected people must be given notice well before the date of the eviction.
- That affected people must be adequately compensated *before* the eviction.

- When explaining the government's duties before an eviction, write these duties clearly on a flipchart paper and post it on the wall so that it can be viewed for the rest of the training.
- While teaching this lesson, remind the Participants of the activity with the watches. For each government duty before an eviction, use an example of what happened during the watch activity to help Participants understand what the government must do.

3. EXPLAIN THE EXERCISE:

- Explain that in the following exercise, Participants will first hear about a case study and then work in groups to answer two questions.
- Read out this case study to the Participants:

CASE STUDY
<p>Several families have been living in small houses in a community in the city centre since the early 1990s. Some people in the community have small businesses, such as food stalls that they set up every day outside their homes. Others work in jobs nearby.</p> <p>One day, a notice was posted in the community by the Municipality that said the government needs the land and people have to leave within three weeks.</p> <p>Before the notice was posted, people were not informed about the government's plan for the eviction. The Municipality did not meet with the families to inform or consult them about the eviction or the reason for the eviction. People were told they would receive a plot of land outside of the city as compensation.</p> <p>Three weeks after the eviction notice was made public, the police arrived and forced the families to leave their homes. They were taken to an empty field 25 kilometers outside of the city, where each family was given a 4m x 10m plot of land to rebuild their house.</p>

- After reading the case study, divide Participants into four groups and ask each group to work on *one* of the following duties of the government before an eviction:
 - Information about the eviction
 - Consultation
 - Adequate and reasonable notice
 - Adequate compensation
- Explain that Participants should discuss the two following questions:
 1. Is the government in this case study respecting its duty before the eviction?
 2. If not, what should the government have done to respect its duty?
- For Question 2, explain that the groups should think of specific examples of what the government should have done. They should also draw a picture to show their ideas

- Explain that Participants will have 15 minutes to discuss the case study in their groups and draw a picture.

4. GROUP DISCUSSIONS AND DRAWINGS:

- Follow the group discussions to make sure that the Participants understand the case study and the government duty they are working on. If necessary, help the groups discuss the specific duty they are working on.
- After about five minutes, encourage Participant groups to move on to the second question and drawings if they have not already.
- Encourage Participants to think of specific examples of things that the government should have done to respect its duty.

5. GROUP PRESENTATIONS:

- During the presentations, make sure that the Participants answer the two questions. The Participants should give examples of what the government should have done and present their picture.
- If there are points from the Suggested Answers below that the Participants miss, you should add them later.
- Make sure that each group presentation does not take longer than five minutes.

Suggested Answers:

- Information about the eviction:
 1. The government did not respect its duty to provide people with information about the eviction. The community was not informed about the reason for the eviction and what the government was planning to do with their land.
 2. The government should have informed people about its plan and why the eviction was necessary. This information should have been given to them a reasonable time before the eviction, so that they had time to go to court to challenge the eviction if they thought the eviction was illegal.

- Consultation:
 1. The government did not respect its duty to consult affected people and ask their opinions about the eviction. The community did not have an opportunity to express their ideas and concerns about the project and ways to avoid the eviction. People were also not consulted about what would happen to them after the eviction.
 2. The Municipality should have organized meetings with affected people or their representatives. It should have taken into account their opinions and concerns, especially to see if there were ways to avoid the eviction. The Municipality should have also consulted with the affected people about the plans for relocation.

- Adequate and reasonable notice:
 1. The government did not respect its duty to provide people with adequate and reasonable notice. A public notice was posted to let people know that an eviction was planned and when it was going to happen. However this was done only three weeks before the date planned for the eviction. This was not enough time for the people to prepare for the eviction or to challenge it.
 2. The government should have made sure that a notice was posted in the community with adequate time before the date planned for the eviction, for example three months before. This would have given the community a chance to plan what to do in reaction to the eviction notice.

The notice should also have had information about the reason for the eviction and the right for people to go to court to challenge the eviction. The government should have made sure that everyone saw the notice and understood it.

- Adequate compensation:
 1. The government did not respect its duty to provide people with adequate compensation before the eviction. People were only offered a small plot of land and were not given any compensation to replace their homes and maintain their living conditions. The relocation site does not have any infrastructure or basic services

2. The government should have made sure that people were offered adequate compensation to replace any property that would be affected by the eviction. This includes people's land, house and anything else that they own. The government should have also consulted the people about what they would need to maintain or improve their living conditions and livelihoods after they move. If the community and the government agreed that a resettlement site was the best option, the people should have been consulted about a resettlement site and the facilities and services that the site needs.

6. DEBRIEF:

- First, ask volunteers to summarize what the government's duties are before an eviction happens.
- Then ask Participants if they would like to share any stories of evictions or recent news from their own community if they are under threat of eviction. They should explain what happened *before* the eviction and say if the government respected its duties or not.

4. THE GOVERNMENT'S DUTIES DURING AN EVICTION

If the government respects all its duties before an eviction, an actual eviction can usually be avoided, for example if the community is consulted and receives adequate compensation for their homes or land. If the government properly respects its duties before an eviction, people may agree to move because they accept the reason for the eviction and are happy with the compensation, relocation and livelihood options that have been offered.

Sometimes, these government duties are not enough to avoid the eviction. For example, some families may still refuse to move because they could not come to an agreement with the government. Also, the government sometimes does not properly respect its duties before an eviction actually takes place.

This is why *the government also has duties that must be respected during an actual eviction*. The government has the duty to make sure the following happens during an eviction:

- There must be government officials present during the eviction;
- The people carrying out the eviction must identify themselves;
- The eviction must take place at a safe time (not at night or during bad weather); and
- The use of force must be avoided as much as possible.³¹



4.1. THERE MUST BE GOVERNMENT OFFICIALS PRESENT DURING THE EVICTION

Only the government is allowed to evict people from their homes or land. The government must make sure that government officials or their representatives are present during the eviction.³²

The duty of government officials who are present during an eviction is to make sure that the law and human rights duties are respected, that the eviction is legal, and that people are protected from violence. Government officials must present a legal permit for the eviction, such as a court order. If government officials are helping to carry out an illegal eviction or using violence to force people to leave, this is illegal and they should be punished according to the law.

If private people, such as employees of a company, are carrying out an eviction, this is illegal under Cambodian law and they should be punished according to the law.³³

³¹ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraphs 13 and 15.

³² Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraph 15.

³³ Land Law 2001, Articles 35 and 254.



4.2. THE PEOPLE CARRYING OUT THE EVICTION MUST IDENTIFY THEMSELVES

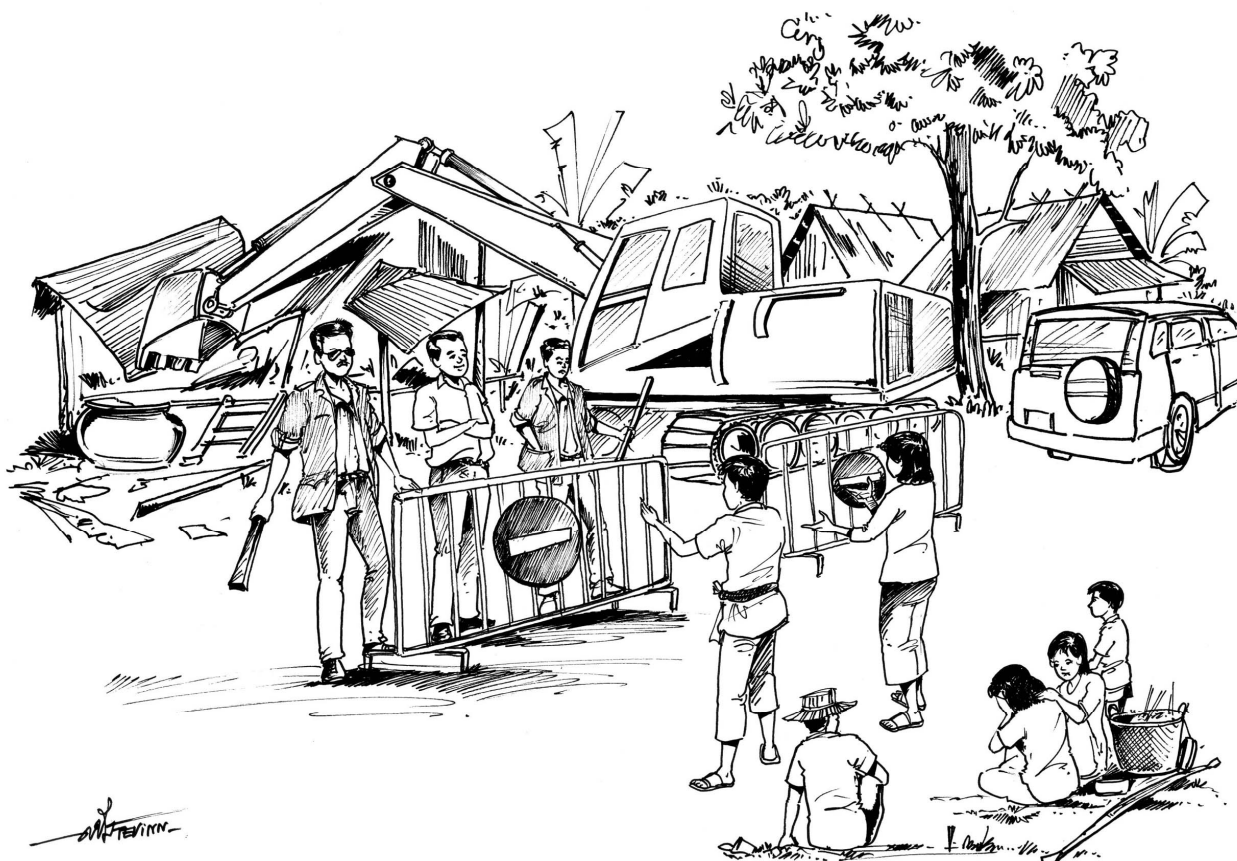
The government must make sure that people carrying out the eviction identify themselves so that it is clear who they are and that they have legal authority to carry out the eviction.³⁴

4.3. THE EVICTION MUST TAKE PLACE AT A SAFE TIME

The government must make sure that evictions do not happen at night or in bad weather, unless people have agreed to it.³⁵ People's safety must be respected while the eviction takes place.

³⁴ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraph 15.

³⁵ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraph 15.



4.4. THE USE OF FORCE MUST BE AVOIDED AS MUCH AS POSSIBLE

The government must make sure that there is no threat of or actual use of unnecessary force or violence against people, or destruction of their possessions during an eviction.³⁶ Limited force can only be used when absolutely necessary.

³⁶ Committee on Economic, Social and Cultural Rights, General Comment 7, 1997, paragraph 13.

LESSON 4 - WHAT ARE THE GOVERNMENT'S DUTIES DURING AN EVICTION?

AIM: Participants will understand the government's duties during an eviction and be able to identify when the government is not respecting these duties.



MATERIALS: Whiteboard or flipchart, markers, copies of Handout 4.

METHOD(S) USED: Case studies, group discussion, presentation, role-play.

Procedure	Time Frame (in minutes)
1. Introduce the information in Section 4	15
2. Explain the exercise	5
3. Groups prepare role-plays	10
4. Role-plays and class discussion	30
5. Debrief	10
Total:	70

INSTRUCTIONS TO FACILITATOR

1. INTRODUCE THE INFORMATION IN SECTION 4:

- Ask the Participants to summarize the government's duties *before* an eviction and write them on the board. Then ask the Participants if they think that these duties are enough to protect people and make sure that evictions happen in a peaceful and fair way.
- Explain that the duties of the government before an eviction are important and if they are all respected, the actual eviction may be avoided. But these duties are not always enough to avoid the eviction and protect people.
- Next, introduce the information in Section 4.

Section 4 - It is important that Participants understand:

- That as well as having duties *before* an eviction, the government has duties *during* an eviction.
- That government officials must be present during the eviction.
- That people conducting the eviction must identify themselves.
- That evictions should only be conducted at a safe time.
- That the use of force must be avoided as much as possible.

- When explaining the duties of the government during an eviction, write them clearly on the board and leave them there for the rest of the lesson.

2. EXPLAIN THE EXERCISE:

- Divide the Participants into four groups and give each group one case study from Handout 4.
- Give the groups 10 minutes to discuss the facts of their case study and prepare a role-play.
- Explain that the Participants will have a few minutes to act out the case study as a role-play. After doing the role-play, the groups should lead a discussion about whether or not the government respected its duties.

3. GROUPS PREPARE ROLE-PLAYS:

- Follow group discussions closely and make sure that Participants understand the case study and what they need to do. If necessary, use the Suggested Answers below to give hints or ask questions to the Participants to help them understand the case study correctly.

CASE STUDY

1. Workers hired by a private company arrive in a community with an excavator. They are armed with hammers and metal sticks. They do not explain who they are or why they are there. They order people to leave by threatening to use the excavator to destroy their houses.
2. Armed police and military forces arrive in a community at 4 a.m. They fire in the air and order people to leave. When some people protest, they beat them and arrest them.
3. Three months ago, a community was notified and informed that they would have to move in three months so the government could build a hospital for the commune. Although they were consulted about relocation and compensation, some families did not move from their land.
4. The police arrive during the day and show the community a court order allowing the eviction. They present themselves and explain what the court order says before telling people they must leave their homes so that construction of the hospital can begin. The police tell the families that they will assist them in removing their belongings and arrange transport to a relocation site, but if they refuse to move they will be arrested.
5. Workers from a private company arrive in a community with the police. The workers say that the community's land belongs to their company and the people have to leave. They force the families to leave by shouting at them and destroying their property. The police watch without doing anything to stop the workers from being violent.

4. ROLE-PLAYS AND CLASS DISCUSSION:

- Before calling Participant groups to act out their role-play, remind them that their role-play should not be longer than a few minutes.
- Call the group who worked on Case Study 1 to act out their role-play for the rest of the class. After the role-play one member of the group should read out or explain the case study to make sure that everybody understands it.
- Next, let the group lead the class in a discussion about the case study. If the group is having trouble facilitating the discussion, you may help them by asking whether the government's duties during the eviction were respected. Only share the Suggested Answers if the Participants do not come to the correct conclusions themselves.

- Ask the other groups to present their role-plays and lead a discussion as above.

Suggested Answers:

Case study 1:

The government did not respect its duties in this eviction:

- The eviction was carried out by private company workers, not government officials and so was illegal under Cambodian Law.
- The workers did not identify themselves.
- The threat of force was not avoided during the eviction - the workers used intimidation and threats of violence and destruction to make people leave.

Case study 2:

The government did not respect its duties in this eviction:

- Although the eviction was carried out by government police and military forces, it is not clear if it was possible to identify each of the officials.
- The eviction happened in the middle of the night, which creates greater risk to people's safety.
- The police and military were armed and used violence during the eviction.

Case study 3:

The government respected its duties in this eviction:

- The eviction was carried out by the police.
- The people conducting the eviction presented themselves to the community and showed a court order allowing the eviction.
- The eviction happened during the day, not at an unsafe time.
- The police did not use unreasonable force or violence.

Case study 4:

The government did not respect its duties in this eviction:

- Although the police were there, the eviction was carried out by the company workers, which is illegal under Cambodian Law.
- The workers used threats and violence to force people to leave.
- The police did not do anything to protect the people being evicted.

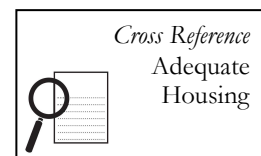
5. DEBRIEF:

- Ask Participants to summarize the four duties of the government during an eviction.
- Then ask the following questions:
 - Does the government usually respect these duties during evictions in Cambodia?
- Can you think of examples where the government has not respected its duties? Can you think of any examples when it has?
 - What can people, including other communities and NGOs, do to try to make sure the government respects its duties during an eviction? (For example, monitoring evictions when they take place.)

5. THE GOVERNMENT'S DUTIES AFTER AN EVICTION

It is not enough for the government to just respect its duties before and during an eviction. The government also has to respect its duty to help people *after* they have been evicted from their homes and land. The government must make sure that all the plans for adequate compensation that were agreed to before the eviction are implemented and completed.

Like every other person, anyone who has been evicted has a right to adequate housing. *This means that the government must make sure that no one is left homeless or living in inadequate housing after an eviction.*³⁷ All seven elements of the right to adequate housing must be respected for people who have been evicted.



5.1. PEOPLE MUST NOT BE LEFT HOMELESS OR LIVING IN INADEQUATE HOUSING AFTER AN EVICTION

The government must make sure that evictions do not leave people homeless or living in inadequate housing. Also, people who have been evicted should not be put in a situation in which their other human rights will be violated.³⁸ For example, evicting people from their homes and farming land might mean that they do not have enough to eat, which would violate their right to adequate food.

³⁷ Committee on Economic, Social and Cultural Rights, General Comment 7, paragraph 16.

³⁸ Committee on Economic, Social and Cultural Rights General Comment 7, 1997, paragraph 16.

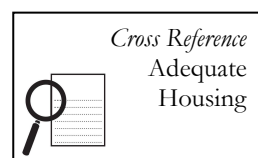
The government has a duty to make sure that people who are evicted can live in adequate housing and have access to essential things such as water, food and jobs. The most common ways for the government to fulfill this duty are the following:

- By giving people who are evicted enough money to buy replacements for the housing, land and property that will be affected, and to make sure they can find alternative adequate housing;
- By providing people who are evicted with alternative adequate land and housing, and replacing anything else that they have lost;
- By providing assistance to start new businesses, plant new crops or travel to work;
- By sharing the benefits of the project with the affected people, such as on-site upgraded housing from an urban development project;
- Some combination of the above.

People being evicted should be consulted well before the eviction about which of these options would be best for them so that they can maintain or improve their lives and living conditions.

5.2. HOUSING AT A RELOCATION SITE MUST BE ADEQUATE

All people have a right to adequate housing in *any* place they live, even if they are moved to a relocation site. This means that if people are moved to a relocation site, the government has a duty to make sure that their new houses meet all seven elements that make housing adequate.³⁹



REMINDER: THE SEVEN ELEMENTS OF ADEQUATE HOUSING

1. Each house at the relocation site must have enough space, privacy and protection from the weather and from other people.
2. It should not be expensive for people to live at the relocation site or improve the houses they are given. People must be able to afford to pay for all other basic needs, such as food, water, clothes and medical and school fees.
3. The house at the relocation site must have access to basic services – for example, clean water, sanitation and waste collection.
4. The relocation site must be in an appropriate location, near things like hospitals, schools, and jobs or lands suitable for farming. It must not be built in a polluted or unsafe area.

³⁹ Committee on Economic, Social and Cultural Rights, General Comment 4, 1991, paragraph 8.

5. People must have security of land tenure for their plots at the relocation site so that they are protected against forced evictions. They must have a legal guarantee from the government that they will not be forced to leave their new homes (unless it is absolutely necessary and allowed under the law).
6. Everyone has the right to live in adequate housing without discrimination, no matter what their status, wealth, religion or origins.
7. The houses and relocation site must be built and arranged in a way that respects people's culture and traditions.

A good way for the government to make sure the relocation site is adequate is by consulting the people affected by the eviction about the choice of the relocation site.

5.3. MONITORING

Unfortunately, it is a common experience for people who have been evicted to find that the government fails to uphold all the promises it made before they were evicted. Sometimes the compensation and support promised by the government is not provided. For this reason, it is very important that there is monitoring to ensure that the plans are actually implemented according to the agreement. *Representatives of affected communities should participate in the monitoring.* Monitoring will need to occur before the eviction to make sure that the resettlement site is properly prepared. Monitoring will also need to occur after the eviction to make sure that assistance plans, such as transportation to the city, are being implemented properly.

LESSON 5 - WHAT ARE THE GOVERNMENT'S DUTIES AFTER AN EVICTION?

AIM: Participants will understand the government's duties after an eviction and be able to identify when the government is not respecting these duties.



MATERIALS: Whiteboard or flipchart, markers, copies of Handout 5.

METHODS USED: Case studies, group discussion, drawing.

Procedure	Time Frame (in minutes)
1. Relocation site discussion	15
2. Introduce the information in Section 5	20
3. Explain the exercise	10
4. Group work on case studies	15
5. Participants' presentations	20
6. Debrief	10
Total:	90

INSTRUCTIONS TO FACILITATOR

1. RELOCATION SITE DISCUSSION:

- Point to the flipchart paper and tell the Participants to imagine that this is the map of a relocation site where a community is going to be evicted to in six months. Explain that at the moment, the map is blank and it is the Participants' task to fill in the map.
- Ask different Participants to come and draw things that they would expect to find in a relocation site. You may start by adding an example of your own, such as a school, or access to clean water. After five minutes of drawing, ask the Participants to recall the seven elements of the right to adequate housing.
- If you run out of space you may add a new piece of paper up.
- Ask the Participants if all of the elements of the right to adequate housing are represented in the picture. Post the paper on the wall so that the Participants can see it for the rest of the training.

2. INTRODUCE THE INFORMATION IN SECTION 5:

Section 5 - It is important that Participants understand the following:

- That as well as duties before and during an eviction, the government also has duties *after* an eviction.
- That people should not be left homeless by an eviction and must have access to adequate alternative housing.
- That the situation after an eviction should be monitored to make sure that everyone has access to adequate housing and plans that were agreed to are implemented properly.

- When explaining the government's duties after an eviction, write these duties and important points clearly on the flipchart paper and leave them there for the rest of the exercise. After the exercise, post the paper on a wall so that Participants can see it for the rest of the training.

3. EXPLAIN THE EXERCISE:

- Explain that Participants will divide into four groups. Each group will have 15 minutes to work on a case study. They will discuss the case and decide if the government did or did not respect its duties after the eviction.

CASE STUDY

Community A

Two years ago families of Community A were violently evicted from their homes by soldiers and police who demolished and burned down their homes. People's property was destroyed or taken by the soldiers and police. They also lost the land on which they used to grow rice and vegetables.

The families of Community A were given \$500 compensation each but were not given any land and have been living along the road next to their land, which has been fenced off. Families used their money to buy food, water and very basic materials for shelter but all the money was spent after a few months. The people are now living in small shacks in very bad conditions, without any water, sanitation or other basic necessities.

Community B

The people of Community B were forced to leave their village by the police and military. They were forced into vans and taken to a new site that is 20 kilometers from the city centre where they used to live and work. The new site has basic shelter on small plots of land, but no clean water or electricity, and it is far from schools and hospitals and people's jobs.

Nobody received any legal documents saying they own their new plots of land. People who had been renting houses in their old village were not given a house to live in or a plot of land and were made completely homeless.

Community C

Families of Community C were told that they would need to leave their homes so the government could build a new road. The people of Community C agreed to leave their houses and move to a relocation site that is 40 kilometers away but close to a factory. The people agreed because the government promised there would be new houses, clean water and sanitation, as well as schools and a hospital close to the site. They were also told that if they did not accept the offer they would get nothing.

When they arrived on the site, the houses were not built yet. A new school had been built close to the site and there was running water, but the nearest hospital was 20 kilometers away. Some people were given jobs in the factory and some land was made available for farming. The people were given legal documents saying they own their new land.

Community D

Families of Community D were told that they would need to leave their homes so the government could build a new school and public park. The government gave the families a choice: they could either negotiate with the government for a fair price to sell their land and house, or they could move to a relocation site that was outside the city centre. The government promised there would be new houses, clean water and sanitation as well as schools and a hospital close to the site. The government also promised to organize affordable daily transportation to the city centre.

After consultations, some families chose to negotiate a fair price and some chose to move to the relocation site but wanted to make sure their new housing would be adequate. The government took representatives of the community to the relocation site to show them the houses and facilities before the community moved. People received what they were promised as well as legal documents proving that they now own the new land.

- Draw the following chart on the board and explain that Participants should list in one column the things that show the government respected its duties. In the other column, they should list the things that show the government did not respect its duties.

THE GOVERNMENT RESPECTED ITS DUTIES	THE GOVERNMENT DID NOT RESPECT ITS DUTIES

- Explain that after the group discussions, each group will have five minutes to present and explain their lists to the rest of the Participants.

4. GROUP DISCUSSIONS:

- Follow the group discussions closely and answer any questions the Participants might have to make sure they understand their case study.

- Make sure the Participants are focusing on what happened *after* the eviction, rather than before or during the eviction.

5. GROUP PRESENTATIONS:

- Each group will have five minutes to present what they have discussed.
- After all the groups have presented their lists, lead a brief discussion on the similarities and differences between the lists, and discuss anything the Participants missed.

Suggested Answers:

Community A: This case study describes a very bad situation after an eviction because people were made homeless.

THE GOVERNMENT RESPECTED ITS DUTIES	THE GOVERNMENT DID NOT RESPECT ITS DUTIES
	The people of Community A were left homeless after the eviction as the government did not provide a relocation site or alternative housing.
Some compensation was provided.	The compensation (only \$500) was not enough to pay for their houses, farming land, and other basic needs. It was not enough to buy new adequate housing and was spent very quickly.
	They are living in conditions that do not respect any of the elements of the right to adequate housing.
	The people do not have security of tenure in the place where they are now living, so they could be evicted again in the future.

Community B: This case study describes another very bad situation after an eviction, even though a relocation site was provided.

THE GOVERNMENT RESPECTED ITS DUTIES	THE GOVERNMENT DID NOT RESPECT ITS DUTIES
Some people were given a plot of land and basic shelter at a relocation site.	The relocation site does not respect people's right to adequate housing. It lacks basic things like water and sanitation. It is far from schools or hospitals. It is far from the city so it may be difficult for people to keep the same jobs and find new ones.
	Because the site is not adequate, people are at risk of having their other rights violated. For example, they are living in unhealthy conditions and might get sick and children may not be able to go to school.
	People do not have security of tenure where they are now living, which means that they could be evicted again in the future.
	Renters did not get a plot of land or shelter at the relocation site and were made homeless. (Everyone has the right to adequate housing, including renters.)

Community C: Community C is in a better situation than Community A and B, but there are still some serious problems.

THE GOVERNMENT RESPECTED ITS DUTIES	THE GOVERNMENT DID NOT RESPECT ITS DUTIES
People were given a plot of land at a relocation site.	The site does not respect all of the elements of the right to adequate housing. There are no houses yet and the hospital is far away. This may have been avoided if community representatives had participated in monitoring the relocation site before the eviction.
Some people got jobs at the factory nearby. Some land was made available for farming.	People probably lost the jobs they had before the eviction because they are now living so far away. Not everybody got a job at the factory. Not everyone would have been able to farm.
There is water and a school.	
People were given legal documents to show they own their new land, which should help to protect them against forced eviction in the future.	

Community D: This case study describes a good situation after an eviction because people were consulted and now live in adequate housing.

THE GOVERNMENT RESPECTED ITS DUTIES	THE GOVERNMENT DID NOT RESPECT ITS DUTIES
People were consulted and given options to find alternative adequate housing.	
People who accepted compensation in money were able to negotiate a fair price.	
Community representatives were able to monitor the relocation site to make sure it had things that were promised.	
People who decided to move to the relocation site were given a plot of land and adequate housing.	
The relocation site has facilities that meet people's needs, such as water and sanitation.	
The relocation site is in an adequate location near to a school and hospital.	
Transportation is available so that people can keep their jobs and go to the market in the city centre.	
People were given legal documents to show they own their new land, which should help to protect them against forced eviction.	

6. DEBRIEF:

- Ask Participants to summarize what the government's duties are after an eviction has happened. Repeat that *people must not be left homeless or at risk of human rights violations after an eviction*.
- Ask Participants about the different ways the government can make sure people have access to alternative adequate housing after they are evicted.

- Ask Participants to think about the last case study and ask them why the people ended up in a good situation after the eviction.
- Make sure that Participants realize that because the government *consulted the affected people* and gave them the choice of receiving fair compensation or moving to a good relocation site, they were more likely to end up in a good situation with their rights respected. It was also a very good idea that community *representatives were taken to see the housing* at the site to make sure it was adequate before agreeing to move.
- Finish by emphasizing that all of the government's duties before, during and after an eviction are closely connected. If the government respects its duties *before* an eviction this will help to make sure that the government respects its duties *after* an eviction to ensure people can move to alternative adequate housing and maintain or improve their living conditions and livelihoods.

LESSON 6 - IS THE EVICTION LEGAL OR ILLEGAL? (OPTIONAL)

AIM: Participants will be able to identify when an eviction is legal or illegal and when the government is respecting its duties before, during and after an eviction.



MATERIALS: Whiteboard or flipchart, markers, copies of Handout 6, 12 pieces of paper with 12 points written on (see Instructions to Facilitator), sticks or pencils.

METHOD(S) USED: Case study, group discussion, presentation, ranking.

Procedure	Time Frame (in minutes)
1. Class review of previous lessons	10
2. Explain the exercise and divide Participants into four groups	10
3. Group discussions	20
4. Groups report back to rest of class	30
5. Debrief	20
Total:	90

INSTRUCTIONS TO FACILITATOR

PREPARATIONS FOR EXERCISE:

- Before the exercise, take 12 pieces of paper and write one of the following points of each of them in large, clear writing:
 1. Genuine public interest or other good reason for the eviction
 2. All ways to avoid the eviction considered
 3. Information about the eviction
 4. Consultation
 5. Adequate and reasonable notice
 6. Adequate compensation
 7. Presence of government officials during the eviction
 8. Identification of the people carrying out the eviction
 9. Safe time for the eviction
 10. Use of force avoided
 11. People must not be left homeless or in inadequate housing after the eviction
 12. People's other human rights must be respected

1. CLASS REVIEW OF PREVIOUS LESSONS:

- Ask the whole group to name one of the things they learned that makes an eviction legal or illegal. These should include the conditions that must exist for an eviction to be allowed and all the duties of the government before, during and after the eviction.
- When a Participant names one of the 12 points that you prepared earlier, stick that piece of paper somewhere where all Participants can see it.
- If the Participants do not remember all the conditions and government duties, you should give them some hints.
- After all 12 points have been mentioned, explain that this exercise will involve all of these conditions and duties that must be respected for an eviction to be legal.

2. EXPLAIN THE EXERCISE AND DIVIDE INTO GROUPS:

- Read the full case study to the Participants at the beginning of the exercise.

CASE STUDY

In May and June 2006, over 1,500 families were evicted from their homes in an area in central Phnom Penh. The eviction was ordered by the authorities because a private company claimed to own the land. Many families had lived there since the early 1990s and made a living by working in the city, for example by driving moto taxis, selling food in the street or recycling.

People were not shown any proof of the company's ownership of the land and were not given any chance to challenge the company's claim in court. There were a few meetings between the authorities and some families living in the area who owned their houses. However, the meetings were quickly stopped after the families made some requests about the relocation site. None of the families who were renters were ever consulted.

The eviction started at the beginning of May when the police and demolition workers from the company started taking down people's houses or threatening people to force them to do so. Later in June, over 700 police and military police officers arrived in the middle of the night. They were armed with rifles, electric batons and tear gas. At 6 a.m. they gave people less than an hour to collect their belongings. They were then forced onto trucks without being told where they were going. Their houses were then dismantled by the police.

People were moved to a rice paddy 20km from the centre of Phnom Penh, very far from where people used to live and work. There was nothing on the site when they were dropped there: no houses, clean water, electricity, sanitation or drainage. There were no schools, hospitals, or jobs available near the site. When they arrived, families had to build their own shelters with plastic sheets provided by NGOs. It was the beginning of the rainy season and the site had already started to flood. No one was given any legal documents to show that they owned their plots of land at the relocation site. Renters were not given a plot of land.

- Next, divide the Participants into four groups and ask each group to work on *one* of the following groups of conditions or government duties:
 1. Conditions that allow the eviction to happen legally
 2. Government duties before the eviction
 3. Government duties during the eviction
 4. Government duties after the eviction
- Explain that the Participants will have 20 minutes to work in their groups to answer the following two questions:
 1. Were these conditions or government duties respected in this eviction? Why or why not?

2. If not, what should the government have done to respect its duties?

- Write these two questions on the board so everyone can see them while they work in their groups, and give out copies of the case study from Handout 6.
- Explain that Participants can choose the way they want to present their ideas (they can simply explain their ideas, but they should be encouraged to be more creative, and for example, use drawings, a short role-play, or write and sing a song). Each group will have five minutes to make their presentation.

3. GROUP DISCUSSIONS:

- Make sure that all groups understand the case study, the group of conditions or duties they have been assigned and the questions they need to answer in their presentation.

4. GROUP PRESENTATIONS:

- Make sure that each group presentation is no more than five minutes.
- Encourage all people in the group to participate in their group's presentation.

Suggested Answers:

Below are the answers to questions 1 and 2 for each group:

Group 1 - Conditions that allow the eviction

For any eviction to be legal it must be absolutely necessary. It must be in the public interest, or be for some other good reason, and all ways to avoid the eviction must have been considered.

1. The eviction was **not legal** and the authorities should not have carried it out for the following reasons:
 - The eviction was ordered because a private company claimed to own the land and asked the authorities to evict the people living there. This may have been a good reason for the eviction if the company was telling the truth. But neither the company nor the authorities showed the residents proof of the company's ownership.
 - There was no court decision to solve the land dispute or to allow the eviction.

- Possible ways to avoid the eviction were not considered.
2. If the company really did own the land, it should have gone to court and shown proof of its ownership. This eviction could have only been carried out legally if there was a court order based on proof of the company's claim, and the residents had an opportunity to challenge it.

Even if the company had shown proof of ownership and this was a genuine and good reason to allow the eviction, the authorities should have arranged a consultation with the company and the community to discuss possible ways that the community could stay on the land or part of the land (for example, the authorities could have helped the community purchase a part of the land).

Group 2 - Government duties before the eviction:

Before an eviction is carried out, the government has a duty to give the affected community adequate information about the situation, consult with the community, give adequate notice of the eviction, and ensure there is adequate compensation.

1. The government did not respect its duties before the eviction for the following reasons:
 - The authorities did not provide people with proper information about the eviction or proof that the company owned the land.
 - The authorities held a consultation with the community but it was too limited. The authorities only met with some families and did not take into account their comments or concerns. The renters were not consulted at all.
 - The authorities did not provide people with adequate and reasonable notice before the eviction.
 - The authorities did not provide people with any compensation before they were forced to leave their homes, nor agree on any plan to ensure people could maintain or improve their livelihoods.
2. In order to respect its duties before the eviction, the government should have ensured the following:
 - The residents should have been shown proof that the company owned the land.

- The community should have been informed of the date of the planned eviction several months earlier to allow the residents time to make plans or challenge the eviction order.
- The residents should have been consulted about how they would have access to adequate housing and be able to maintain or improve their living conditions and livelihoods after the eviction.
- Adequate compensation should have been provided to replace the property that the residents owned that was lost in the eviction. Alternative adequate housing should have been made available to all affected people before the eviction.

Group 3 - Government duties during the eviction

During an eviction, the government has a number of duties that must be followed. Government officials should be present in order to monitor the eviction, use of force should be avoided as much as possible, and the eviction should be conducted at a safe time.

1. The government did not respect its duties during the eviction for the following reasons:
 - Police and military police were present during the eviction but they were not there to protect the community against violence. It was not possible to identify each of them and the eviction was also carried out by private workers hired by the company.
 - The police used unnecessary force and violence to make people leave their homes, including destroying their property.
2. In order to respect its duties during the eviction, the government should have ensured the following:
 - It should have been possible to identify the government officials by name and position.
 - The police should have protected the residents from violence.
 - Private company workers should not have been involved in the eviction.
 - The police should not have used violence during the eviction and should have avoided the use of force as much as possible.

Group 4 - Government duties after the eviction

After an eviction, no one should be left homeless or without access to adequate housing, and they should not be vulnerable to further human rights violations.

1. The government did not respect its duties after the eviction for the following reasons:
 - Although people were taken to a relocation site, they were made homeless by the eviction, because there were no houses at the site. Renters were not even given plots of land.
 - Life in the relocation site does not respect the elements of the right to adequate housing. There is no shelter, no basic services like clean water, electricity, sanitation or drainage. It is far from schools, hospitals and work.
 - People are more at risk of having their other rights violated, such as their rights to food, water, health, education and work. They are also at risk of being forcibly evicted again from the relocation site.
2. In order to respect its duties after the eviction, the government should have ensured the following:
 - Affected people should have been adequately compensated for any loss of property. Everyone, including renters, should have had access to adequate housing.
 - The relocation site should have respected all the elements of adequate housing before people were moved there. Otherwise, the government should have found other ways to make sure that people had adequate housing after the eviction and that their other human rights were respected. This could have been done by giving them fair compensation that would allow them to find alternative adequate housing and to meet their other basic needs.

5. DEBRIEF:

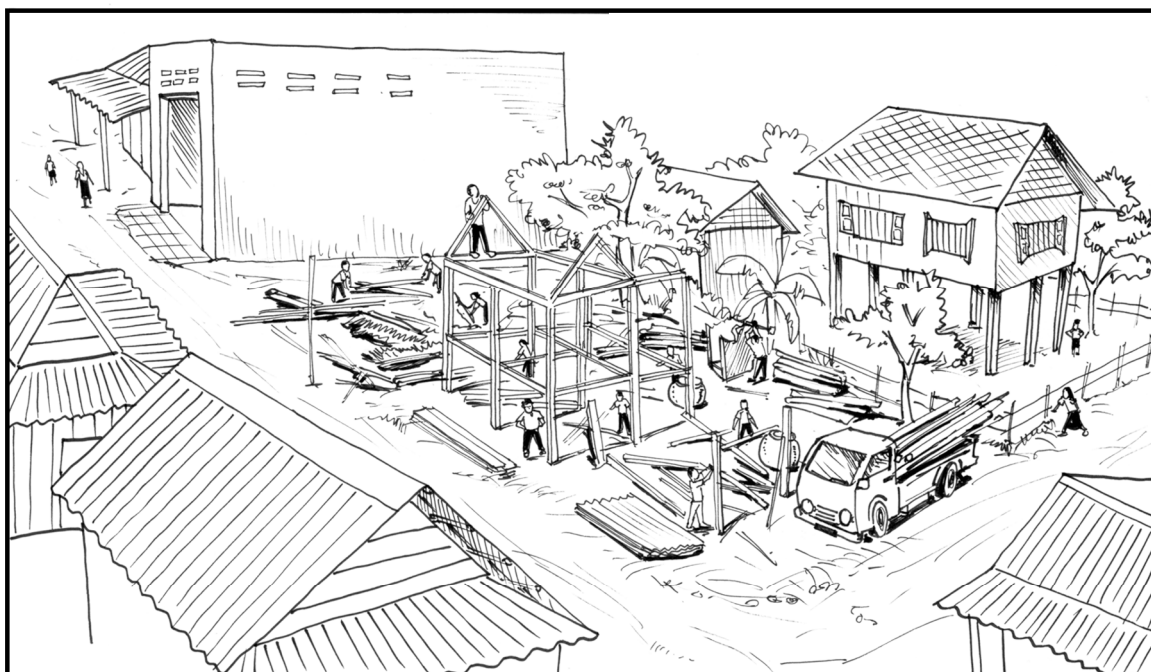
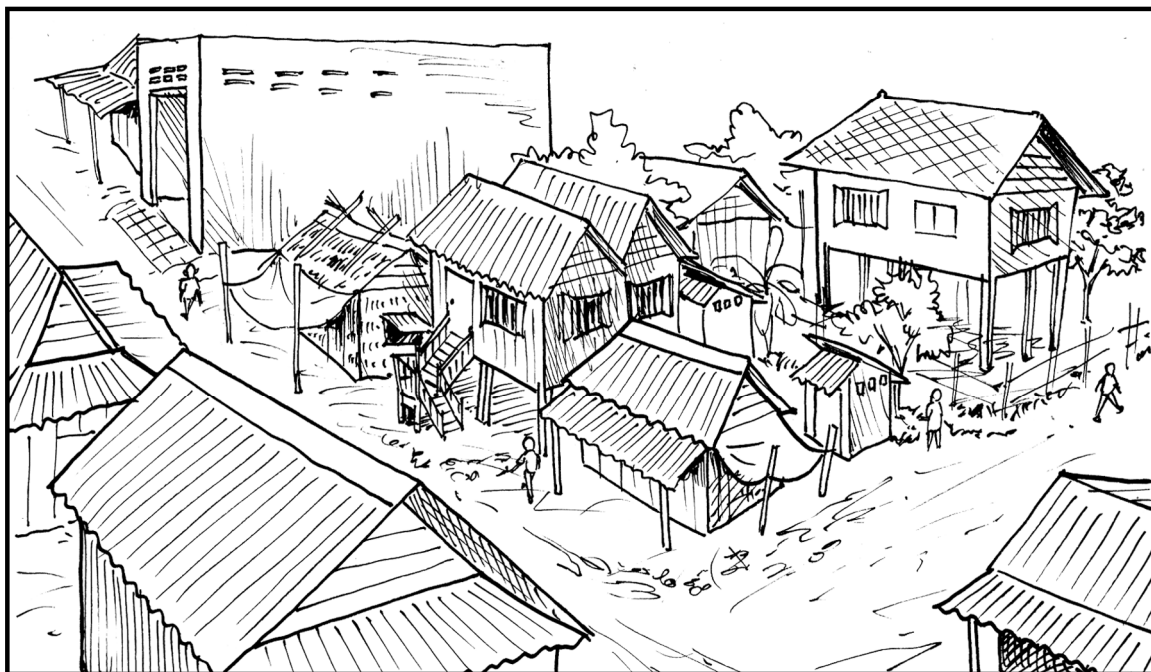
- Ask a volunteer Participant to rank the conditions and government duties on the cards shown on the board from the most important to the least important.
- After a minute of trying to do this, ask the rest of the Participants to help the volunteer by telling him or her what they think the order should be.

- After the Participants have worked on this for a few minutes, ask them if they found it easy or difficult to rank these cards from the most important to the least important. Ask them to give reasons for their answers.
- Explain that the conditions that allow evictions and all the government duties before, during and after an eviction are all important and are connected to each other.
- For example, it is important that the government respects its duty to inform and consult people about an eviction and ensure that there are adequate compensation and resettlement plans because this helps to avoid a violent eviction and it also helps to make sure that people can move to adequate housing and access livelihoods after the eviction.
- Conclude by saying that evictions often happen in Cambodia without the government respecting its duties, *but* this does not mean that these duties do not exist.
- The government still has a legal obligation under international human rights law (and the Cambodian Constitution) to respect these duties and protect people from forced evictions. It is important that people know this and demand that the government respect its duties and protect their rights.

DIFFICULT TERMS:

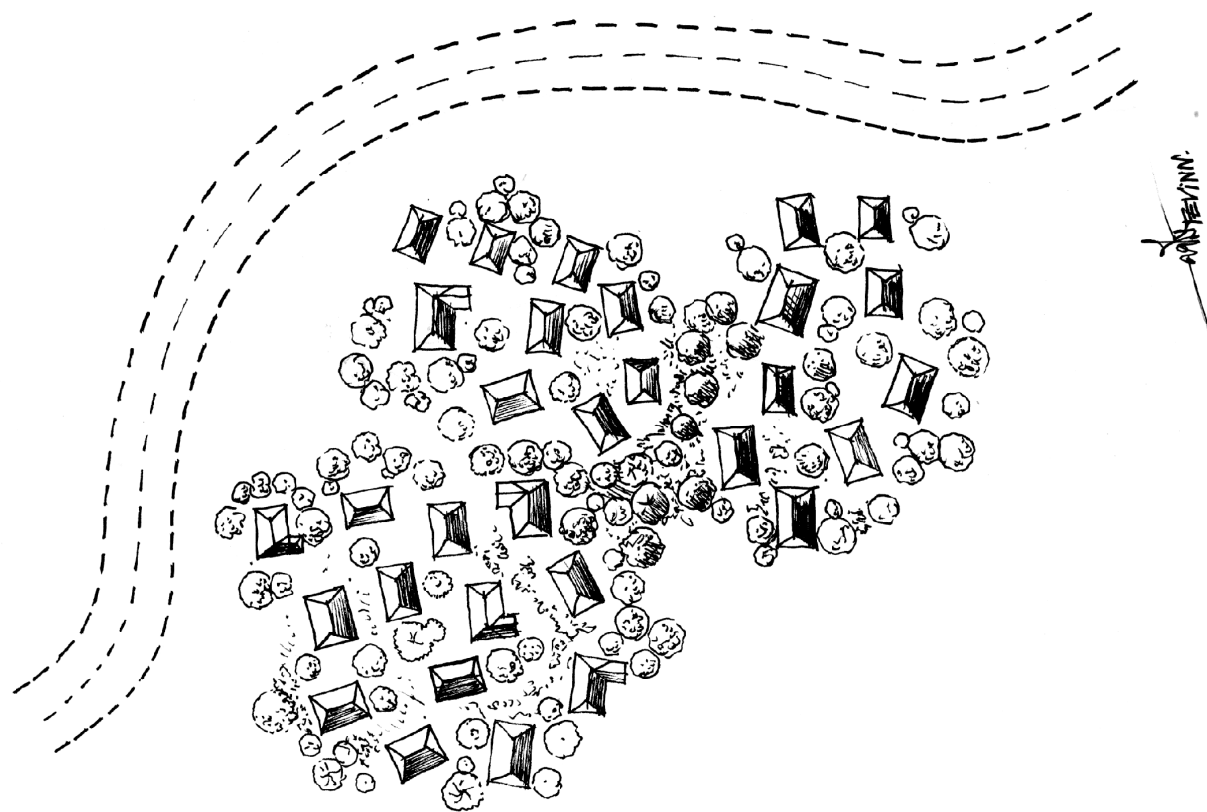
1. **Adequate and reasonable notice (of an eviction):** Information about a planned eviction, in particular the date and time of the eviction. The information should be given to the affected community in a language and way that they understand and enough time in advance so that they have a chance to plan what to do in reaction to the eviction.
2. **Adequate compensation:** An amount of money or other things, such as housing, land and property, given to someone whose possessions were damaged or lost. Compensation can also be given for things such as earnings from jobs and businesses that were lost, or crops and trees that were destroyed or lost because of an eviction. Adequate compensation is enough to replace the housing, land and other things lost and to ensure affected people have access to adequate housing, including basic facilities and livelihood options.
3. **Consultation:** The government has a duty to ensure that people's ideas, opinions and concerns about the eviction and reason for the eviction are listened to and considered. People's ideas about compensation, alternative adequate housing and land and livelihood opportunities should also be considered. Consultations usually happen through community or individual meetings and sometimes people can also write down their opinions and concerns.
4. **Eviction:** An eviction occurs when people are made to leave their homes and lands. Evictions can be legal or illegal. Evictions are legal only when they are absolutely necessary and the international human rights law rules to respect people's rights are followed.
5. **Illegal forced evictions:** An illegal forced eviction occurs when people are forced to leave their homes and lands against their will without their rights being respected. An eviction is illegal when it is not absolutely necessary and/or the rules to make sure people's rights are respected are not followed.
6. **International human rights law:** Law that recognizes the human rights of individuals around the world and that places legal duties on governments to respect those rights. The Constitution recognizes international human rights law as part of Cambodian law.
7. **Livelihood options:** People must be able to earn a living and provide themselves and their family with everything they need to live, such as food, water, housing, healthcare and education. To do this, people must have access to jobs, farmland, markets to sell things, or other small businesses.
8. **Public interest:** Something that will help many members of society improve their standard of living, provide an important public service, or keep them safe. A public interest project should not cause serious harm to people or the environment.

9. **Relocation or resettlement site:** A new place to live for people who are evicted. Providing a relocation site is one way that the government can respect its duty under international human rights law to make sure that evicted people are able to find another adequate place to live. Relocation sites must meet all the elements of the right to adequate housing in order to be legal under international human rights law.



HANDOUT 1 – LESSON 2 (CONTINUED)





CASE STUDY

Several families have been living in small houses in a community in the city centre since the early 1990s. Some people in the community have small businesses, such as food stalls that they set up every day outside their homes. Others work in jobs nearby.

One day, a notice was posted in the community by the Municipality that said the government needs the land and people have to leave within three weeks.

Before the notice was posted, people were not informed about the government's plan for the eviction. The Municipality did not meet with the families to inform or consult them about the eviction or the reason for the eviction. People were told they would receive a plot of land outside of the city as compensation.

Three weeks after the eviction notice was made public, the police arrived and forced the families to leave their homes. They were taken to an empty field 25 kilometers outside of the city, where each family was given a 4m x 10m plot of land to rebuild their house.

HANDOUT 4 – LESSON 4

CASE STUDY

1. Workers hired by a private company arrive in a community with an excavator. They are armed with hammers and metal sticks. They do not explain who they are or why they are there. They order people to leave by threatening to use the excavator to destroy their houses.
2. Armed police and military forces arrive in a community at 4 a.m. They fire in the air and order people to leave. When some people protest, they beat them and arrest them.
3. Three months ago, a community was notified and informed that they would have to move in three months so the government could build a hospital for the commune. Although they were consulted about relocation and compensation, some families did not move from their land.

The police arrive during the day and show the community a court order allowing the eviction. They present themselves and explain what the court order says before telling people they must leave their homes so that construction of the hospital can begin. The police tell the families that they will assist them in removing their belongings and arrange transport to a relocation site, but if they refuse to move they will be arrested.

4. Workers from a private company arrive in a community with the police. The workers say that the community's land belongs to their company and the people have to leave. They force the families to leave by shouting at them and destroying their property. The police watch without doing anything to stop the workers from being violent.

CASE STUDY

Community A

Two years ago families of Community A were violently evicted from their homes by soldiers and police who demolished and burned down their homes. People's property was destroyed or taken by the soldiers and police. They also lost the land on which they used to grow rice and vegetables.

The families of Community A were given \$500 compensation each but were not given any land and have been living along the road next to their land, which has been fenced off. Families used their money to buy food, water and very basic materials for shelter but all the money was spent after a few months. The people are now living in small shacks in very bad conditions, without any water, sanitation or other basic necessities.

Community B

The people of Community B were forced to leave their village by the police and military. They were forced into vans and taken to a new site that is 20 kilometers from the city centre where they used to live and work. The new site has basic shelter on small plots of land, but no clean water or electricity, and it is far from schools and hospitals and people's jobs.

Nobody received any legal documents saying they own their new plots of land. People who had been renting houses in their old village were not given a house to live in or a plot of land and were made completely homeless.

HANDOUT 5 - LESSON 5 (CONTINUED)

Community C

Families of Community C were told that they would need to leave their homes so the government could build a new road. The people of Community C agreed to leave their houses and move to a relocation site that is 40 kilometers away but close to a factory. The people agreed because the government promised there would be new houses, clean water and sanitation, as well as schools and a hospital close to the site. They were also told that if they did not accept the offer they would get nothing.

When they arrived on the site, the houses were not built yet. A new school had been built close to the site and there was running water, but the nearest hospital was 20 kilometers away. Some people were given jobs in the factory and some land was made available for farming. The people were given legal documents saying they own their new land.

Community D

Families of Community D were told that they would need to leave their homes so the government could build a new school and public park. The government gave the families a choice: they could either negotiate with the government for a fair price to sell their land and house, or they could move to a relocation site that was outside the city centre. The government promised there would be new houses, clean water and sanitation as well as schools and a hospital close to the site. The government also promised to organize affordable daily transportation to the city centre.

After consultations, some families chose to negotiate a fair price and some chose to move to the relocation site but wanted to make sure their new housing would be adequate. The government took representatives of the community to the relocation site to show them the houses and facilities before the community moved. People received what they were promised as well as legal documents proving that they now own the new land.

CASE STUDY

In May and June 2006, over 1,500 families were evicted from their homes in an area in central Phnom Penh. The eviction was ordered by the authorities because a private company claimed to own the land. Many families had lived there since the early 1990s and made a living by working in the city, for example by driving moto taxis, selling food in the street or recycling.

People were not shown any proof of the company's ownership of the land and were not given any chance to challenge the company's claim in court. There were a few meetings between the authorities and some families living in the area who owned their houses. However, the meetings were quickly stopped after the families made some requests about the relocation site. None of the families who were renters were ever consulted.

The eviction started at the beginning of May when the police and demolition workers from the company started taking down people's houses or threatening people to force them to do so. Later in June, over 700 police and military police officers arrived in the middle of the night. They were armed with rifles, electric batons and tear gas. At 6 a.m. they gave people less than an hour to collect their belongings. They were then forced onto trucks without being told where they were going. Their houses were then dismantled by the police.

People were moved to a rice paddy 20km from the centre of Phnom Penh, very far from where people used to live and work. There was nothing on the site when they were dropped there: no houses, clean water, electricity, sanitation or drainage. There were no schools, hospitals, or jobs available near the site. When they arrived, families had to build their own shelters with plastic sheets provided by NGOs. It was the beginning of the rainy season and the site had already started to flood. No one was given any legal documents to show that they owned their plots of land at the relocation site. Renters were not given a plot of land.

GLOSSARY

1. **Adequate and reasonable notice (of an eviction):** Information about a planned eviction, in particular the date and time of the eviction. The information should be given to the affected community in a language and way that they understand and enough time in advance so that they have a chance to plan what to do in reaction to the eviction.
2. **Adequate compensation:** An amount of money or other things, such as housing, land and property, given to someone whose possessions were damaged or lost. Compensation can also be given for things such as earnings from jobs and businesses that were lost, or crops and trees that were destroyed or lost because of an eviction. Adequate compensation is enough to replace the housing, land and other things lost and to ensure affected people have access to adequate housing, including basic facilities and livelihood options.
3. **Constitution:** The highest law in Cambodia. The Constitution set the rules for the system of government in Cambodia. All laws passed by the government and all decisions of State institutions must follow the Constitution.
4. **Consultation:** The government has a duty to ensure that people's ideas, opinions and concerns about the eviction and reason for the eviction are listened to and considered. People's ideas about compensation, alternative adequate housing and land and livelihood opportunities should also be considered. Consultations usually happen through community or individual meetings and sometimes people can also write down their opinions and concerns.
5. **Development:** Improvement of the quality of life, opportunity and well being. Development can happen at the community level or at the country level. It can be anything from building schools and improving access to health care to building the economy and improving trade with other countries.
6. **Discrimination:** Treating a certain group of people in a different way only because they belong to that group, for example women or indigenous people.
7. **Duties (of the government):** Things the government must do or must not do, for example the government must not torture people. These duties exist because people have human rights that must be respected.
8. **Eviction:** An eviction occurs when people are made to leave their homes and lands. Evictions can be legal or illegal. Evictions are legal only when they are absolutely necessary and the international human rights law rules to respect people's rights are followed.
9. **Forced displacement:** When people or communities are made to leave their homes and lands. Forced displacement often happens because of non-inclusive development.

10. **Human rights:** Human rights allow people to live happy, healthy and free lives. Having access to our basic needs, such as adequate food, water and housing, and enjoying basic freedoms, such as the freedom to express our opinions and to practice our religion, are our rights as human beings. Everybody, everywhere has these rights, no matter what their age, sex, religion, or wealth.
11. **Illegal forced evictions:** An illegal forced eviction occurs when people are forced to leave their homes and lands against their will without their rights being respected. An eviction is illegal when it is not absolutely necessary and/or the rules to make sure people's rights are respected are not followed.
12. **Inclusive development:** An approach to development that *includes* local people in planning and decision-making and focuses on improving the lives and opportunities of affected people. Inclusive development also respects people's rights.
13. **International Covenant on Civil and Political Rights (ICCPR):** One of the most important international human rights laws. It protects human rights such as people's rights to life, to be free from discrimination, to vote and to be free to express opinions.
14. **International Covenant on Economic, Social and Cultural Rights (ICESCR):** One of the most important international human rights laws. It protects human rights like people's right to education, healthcare and adequate housing.
15. **International human rights law:** Law that recognizes the human rights of individuals around the world and that places legal duties on governments to respect those rights. The Constitution recognizes international human rights law as part of Cambodian law.
16. **Livelihood options:** People must be able to earn a living and provide themselves and their family with everything they need to live, such as food, water, housing, healthcare and education. To do this, people must have access to jobs, farmland, markets to sell things, or other small businesses.
17. **Non-inclusive development:** Development that does not take affected communities' ideas and problems into account. Non-inclusive development projects can involve taking natural resources away from local communities, or forcing people to move from their homes so that more modern buildings can be built.
18. **Public interest:** Something that will help many members of society improve their standard of living, provide an important public service, or keep them safe. A public interest project should not cause serious harm to people or the environment.

19. **Relocation or resettlement site:** A new place to live for people who are evicted. Providing a relocation site is one way that the government can respect its duty under international human rights law to make sure that evicted people are able to find another adequate place to live. Relocation sites must meet all the elements of the right to adequate housing in order to be legal under international human rights law.
20. **Security of land tenure:** Legal guarantees that people will not be forced to leave their homes and land (unless it is absolutely necessary and allowed under the law). This applies to everyone – including owners, renters and occupiers. Without this guarantee, people would be living in fear of being pushed from their homes at any time.
21. **Unfair detention:** When people are arrested and held in jail without a good reason according to the law.
22. **United Nations:** An international organization created by the world's governments in 1945. The United Nations works for peace and security in the world. 192 countries are currently members of the United Nations.
23. **Universal Declaration of Human Rights (UDHR):** One of the most important international texts on human rights. The UDHR was adopted by the United Nations in 1948. It is a list of human rights which governments have promised to respect and protect.