



## SUCCESS STORY

# Defending Citizens' Land Rights

### Legal advocacy protects and promotes land rights



Photo: PILAP/Kim Leng

A client displays her designated plot number during land measurements on the river island of Koh Pich, near Phnom Penh.

***A high-profile legal aid project protects the rights of an island population, focuses public attention on land rights.***

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When they received an eviction order in 2004, residents of Koh Pich, a lush 68-hectare river island minutes from downtown Phnom Penh, Cambodia had no idea their plight would become a symbol for a larger struggle. The order came shortly after local officials and a major financial institution began pressing residents to leave the island to make way for its redevelopment as a “satellite city,” complete with luxury villas and hotels. The residents, many of whom are illiterate farmers, were easily intimidated by threats and misinformation. Many accepted a paltry sum of less than \$2 per square meter of their land to relocate to a crude resettlement site outside the city, far from the farms that sustained them.

The remaining residents turned to lawyers from a USAID-funded legal advocacy project run by a local organization, the Community Legal Education Center. The project seeks out cases that generate public debate and demand accountability and respect for legal norms. In an environment where illegal land-grabbing occurs with impunity, the Koh Pich island dispute presented an opportunity to uphold and publicize important legal principles. The Cambodian Constitution and the Land Law grant rights to people residing on unregistered land. The law also establishes the principle of “fair and just compensation” prior to any government “taking” of land for a public interest. Armed with a clear understanding of these principles, the lawyers analyzed the residents’ claims. To strengthen their position, they conducted an appraisal of land values on different parts of the island.

After six months of intense negotiations between the lawyers and city officials, residents were offered a compensation package based on the strength of their legal claims and location of their property. More than 40 families accepted the offer and relocated to places of their own choosing. The project continues to represent the remaining families, and other communities facing similar abuse of their land rights have approached the project. The highly publicized, high-impact approach has enabled a community to assert its legal rights in one of the first collective legal actions in Cambodia. In the process, the case has laid a foundation for the principle of “fair and just compensation” for the increasing number of victims of land-grabbing throughout the country.