

**OPEN LETTER TO WORLD BANK PRESIDENT ROBERT ZOELICK
AND PRESIDENT-ELECT JIM YONG KIM
MAY 30, 2012**

Dear President Zoelick and President-Elect Kim,

It has recently come to our attention that the World Bank is considering ending its suspension of new loans to the Royal Government of Cambodia (RGC) and preparing an Interim Strategy Note to facilitate new lending. We, the undersigned organizations, write to express our deeply held view that, despite some positive developments regarding the Boeung Kak lake case, now is the wrong time to end the suspension. Doing so would not only risk undoing gains made, but would also send a dangerous message to the RGC in light of the spate of recent killings and unwarranted jailing of activists, including Boeung Kak community leaders. We believe that these appalling events call not for reward and the injection of more funds, but rather a coordinated and public condemnation by the international community, including the World Bank.

The past month has seen a series of shocking and inexcusable events in Cambodia. On April 26th, Chut Wutty, a tireless environmental activist was shot dead by armed forces after taking two journalists to a logging area in Koh Kong province. On May 16th, Heng Chantha, a 14-year old girl was killed by a soldier during a brutal forced eviction of a village in Kratie province.

On May 22nd female residents of Boeung Kak staged a peaceful demonstration on the sand dunes that cover what was once a village on the shores of the lake. The demonstration followed thwarted efforts by one family to demarcate the boundary of their home, which had been submerged in sand during the filling of the lake. Whilst singing about their plight, the protesters were surrounded by a mixed force of military police, anti-riot police and district guards, who used violence to break up the demonstration and then arrested 13 women, including a 72-year old. A video clip of these events is available at this link: <http://www.licadho-cambodia.org/video.php?perm=31>.

On May 24th the women were convicted by the Phnom Penh court on baseless charges of inciting others to take land illegally and obtaining land illegally. Seven of the women were sentenced to two years and six months in prison, five were sentenced to two years and the 72-year old woman, Nget Khun, was sentenced to a term of one year. During the trial, the police arrested two more Boeung Kak community representatives who were prepared to testify as witnesses for the 13 women on trial.

We respectfully appeal to you not to authorize re-engagement by the Bank with the RGC under these circumstances and to continue the suspension until a more strategic and judicious moment for engagement arises.

We regard the issuance of land titles to 631 Boeung Kak families earlier this year following the Prime Minister's sub decree granting the remaining residents 12.44 hectares of land around the former lake as a significant human rights victory. We understand that the principled stand taken by the World Bank following the Inspection Panel's findings of non-compliance with operational policies during the design and implementation of the Land Management and Administration Project played an integral part in achieving this

outcome. We applaud the bold leadership of the President in this situation and consider this wise decision-making to have contributed in no small part to the legal security and piece of mind that these 631 Cambodian families now enjoy.

Yet, we remain deeply concerned about the 3500 Boeung Kak families, who had already reluctantly accepted the inadequate compensation package and left their lakeside homes under extreme duress, and who now suffer severe hardship trying to make ends meet each day. We are also concerned about the 94 families that have been excluded from the benefits of the Prime Minister's sub decree and remain under the threat of forced eviction. Together these families represent an estimated 85 percent of all Boeung Kak residents who submitted the Request to the World Bank Inspection Panel.

We are aware that there may be some entry points for UN-HABITAT to support these displaced and excluded families. We urge the World Bank to take all possible action to facilitate this support, including through high-level dialogue with relevant agencies and provision of financing for remedial action. We also note that there may be other organizations in a position to operationalize aspects of the Bank Management's January 2011 Action Plan, including financing measures that respond to the needs of tenure insecure and resettled communities from the Boeung Kak area (at para 76, Table 1). The Bank should not passively accept the lack of progress in supporting displaced and excluded groups to date as a *fait accompli*. Rather, it should proactively work to identify possible interlocutors to remedy harm done, and as Bank Management itself commits to do, "make every effort to implement the Action Plan" (at para 78). If necessary, this should entail the provision of unilateral Bank support to displaced families through a trust fund and administered through an NGO or other agency.

The community itself has appealed to you, President Zoellick, to ensure a fair resolution for the displaced and excluded families before the Bank provides any further financing to the RGC. The public statements made by Bank representatives in August 2011 have led the community to believe that this would be the case. We note that Country Director Annette Dixon stated at the time: "Until an agreement is reached with the residents of Boeung Kak Lake, we do not expect to provide any new lending to Cambodia."¹

The World Bank lending freeze provided a powerful boost to the community's five-year struggle, which has become an inspiration to marginalized communities throughout Cambodia facing dislocation from their homes, land and the natural resources that they depend upon for survival. We believe that re-engaging now, particularly following the unlawful arrest and imprisonment of Boeung Kak community leaders, would send a dangerous message of approval to the RGC and undermine the community's hope that they will not be left alone in their stand against the powerful forces of injustice.

Commitments made by the World Bank, either privately or publically, should not be reneged upon, or else the credibility of the Bank and its commitment to its safeguard policies and contractual requirements on borrowers to respect them will be seriously undermined. Conversely, we believe that if the Bank maintains the freeze until a comprehensive agreement is reached with the Requesters, and the brave human rights defenders of Boeung Kak Lake are released from prison, it will contribute

¹ "World Bank blocks Cambodia loans amid Boeung Kak row," BBC News, August 9, 2011, available at: <http://www.bbc.co.uk/news/world-asia-pacific-14457573>

immeasurably to the twin long-term goals of a more just and equitable Cambodian society and a more accountable World Bank.

Sincerely,

1. Accountability Counsel – USA
2. ActionAid
3. Action for Environment and Community (AEC) - Cambodia
4. Affiliated Network for Social Accountability (ANSA)-EAP – Cambodia
5. AidWatch – Australia
6. Aksi – For Gender, Social and Ecological Justice – Indonesia
7. American Center for Labor Solidarity/American Federation of Labor – Congress of Industrial Organizations (ACILS/AFL-CIO) - Cambodia
8. Amnesty International Kenya – Kenya
9. Asian Forum for Human Rights and Development
10. Bank Information Center (BIC) – USA
11. Banteay Srei – Cambodia
12. Bretton Woods Project – UK
13. Building Community Voices (BCV) – Cambodia
14. Building and Wood Workers Trade Union Federation (BWTUC)
15. Business and Community Foundation – India
16. Cambodia ASEAN Youth Future (CAM-ASEAN) - Cambodia
17. Cambodian Alliance of Trade Unions (CATU) - Cambodia
18. Cambodian Center for Human Rights - Cambodia
19. Cambodian Confederation of Unions (CCU) - Cambodia
20. Cambodian Defenders Project – Cambodia
21. Cambodian Food and Service Workers’ Federation (CFSWF)
22. Cambodian Independent Civil-Servant Association (CICA)
23. Cambodian Independent Teachers’ Association (CITA) - Cambodia
24. Cambodian Indigenous Youth Association - Cambodia
25. Cambodian League For The Promotion And Defense Of Human Rights (LICADHO) – Cambodia
26. Cambodian Tourism and Service Workers Federation (CTSWF)
27. Cambodian Watchdog Council (CWC) – Cambodia
28. Cambodian Workers Center for Development (CWCD)
29. Cambodian Youth Network (CYN)
30. Castan Centre for Human Rights Law, Monash University – Australia
31. CENCA – Peru
32. Christian Aid – United Kingdom
33. Christians for Social Justice – Cambodia
34. Coalition for Cambodian Farmer Community (CCFC)
35. Community Legal Education Center - Cambodia
36. Community Organization Information Network (CONET) – South Korea
37. Community Organization for People’s Action (COPA) – Thailand
38. Community Organization of the Philippines Enterprises Foundation (COPE) – Philippines
39. Community Organizations Practitioners Association (COPA) - Kenya
40. Community Organizers Multiversity (COM) - Philippines
41. Community Peace-building Network – Cambodia
42. CONAM – Brazil
43. Coophabitat – Dominican Republic

44. DanChurchAid – Denmark
45. Development and Peace - Canada
46. Diakonia – Sweden
47. EarthRights International
48. Economic and Social Rights Centre – Kenya
49. Empowering Youth in Cambodia (EYC) - Cambodia
50. Equitable Cambodia - Cambodia
51. FEDVI – Argentina
52. Fener-Balat-Ayvnsaray (FEBAYDER) –Turkey
53. FIAN Germany – Germany
54. Focus on the Global South
55. Fongtil (The NGO Forum of Timor-Leste) – Timor Leste
56. Forum Syd – Sweden
57. Four Regions Slum Network (FRSN) – Thailand
58. FOVELIC - Peru
59. Gender and Development for Cambodia (GADC) - Cambodia
60. Global Initiative for Economic, Social and Cultural Rights
61. Haburas Foundation – Timor Leste
62. Heinrich Böll Stiftung - Germany
63. Housing and Land Rights Network – Habitat International Coalition (HIC)
64. Housing Rights Task Force – Cambodia
65. Human Rights Advocates
66. Human Rights Alert – India
67. Human Rights Law Centre – Australia
68. Human Settlement Foundation - Thailand
69. Inclusive Development International (IDI)
70. Independent Democratic of Informal Economy Association (IDEA)
71. International Accountability Project (IAP)
72. International Alliance of Inhabitants (IAI)
73. Katuba Women’s Association (KWA) - Zambia
74. Khmer Ahimsa - Cambodia
75. KSI – Timor Leste
76. KSL-Public Art Laboratory – Turkey
77. Komitu Architects – Finland
78. La’o Hamutuk – Timor Leste
79. La Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo (PIDHDD) – Ecuador
80. Leaders and Organizers of Community Organizations in Asia (LOCOA)
81. LICADHO Canada – Cambodia
82. Love146 - Cambodia
83. Mekong Watch – Japan
84. My Village – Cambodia
85. Norwegian People’s Aid – Norway
86. Oxfam
87. People’s Action for Change (PAC) – Cambodia
88. Phoenix Take Back the Night – USA
89. Philippine Alliance for Human Rights - Philippines
90. Planet Wheeler Foundation – Australia
91. Red aba Rai (The Land Network) – Timor Leste
92. Rainbow Community Kampuchea – Cambodia
93. Rwanda Women Network (RWN) - Rwanda

94. Sahmakum Teang Tnaut (STT) - Cambodia
95. Sawit Watch – Indonesia
96. Servants Cambodia - Cambodia
97. Shelter for the Poor – Bangladesh
98. Slum Women’s Initiative for Development - Uganda
99. Solidaritas Perempuan (Women’s Solidarity for Human Rights) - Indonesia
100. Southeast Asia Development Program (SADP) – Cambodia
101. Spaces for Change – Nigeria
102. Strey Khmer - Cambodia
103. Sulukule Platform – Turkey
104. Ukimbi – Finland
105. Urban Movements Istanbul – Turkey
106. Urban Poor Associates – Philippines
107. Urgewald – Germany
108. Validebag Volunteers – Turkey
109. Village Focus Cambodia – Cambodia
110. WITNESS