

## **Civil Society Statement Supporting the Case Filed Against the Cambodian Ruling Elite in the International Criminal Court**

12 December 2014

The undersigned civil society organisations from across the world wish to express strong support for the case filed against the Cambodian Ruling Elite at the International Criminal Court on 7th October 2014 (the “Communication”).

The case alleges that the widespread and systematic crimes that have accompanied the Ruling Elite’s massive land grabbing campaign amount to a crime against humanity. The land grabbing, which has been perpetrated for well over a decade, has affected an estimated 770,000 people. We come together to urge the Office of the Prosecutor to initiate a Preliminary Examination with a view to opening a full investigation.

Land grabbing and the associated forced evictions of people from their homes and farmland is increasingly a global human rights problem that has reached a crisis point in a number of poor countries. National and foreign investors are acquiring cheap land for everything from agriculture to mining, and this phenomenon continues to grow as population growth, consumption, and financial speculation drive demand upwards.

Land deals are often conducted in secret so available figures are likely to be a gross underestimate. But we know that over the last decade as much as 49 million hectares have changed hands or are under negotiation. The majority of these land deals are taking place in countries where the rule of law is weak, allowing governments and companies to ignore due process with impunity.

The victims of these land grabs are routinely evicted from their homes and forced away from the land and other natural resources that have sustained them and their families, often for generations. In the vast majority of cases, victims lose their sources of livelihood without receiving compensation and, as a consequence, are pushed deeper into hunger and poverty. Associated human rights violations are common. Opposition is often met with violence and armed state forces are used to quash the resistance of communities brave enough to defend their rights. In short, land grabbing has become one of the major causes of human rights violations of our age.

Something must be done. Land tenure security is vital to meeting global aims around poverty alleviation, climate change and the fulfilment of universal human rights. By contrast, the current global land grabbing crisis is displacing poor urbanites and creating a generation of landless farmers, therefore driving political unrest in many of the world’s most volatile countries.

The International Criminal Court accepting the case would have a hugely positive impact, not just in Cambodia, but globally. It would send a powerful message that when land grabbing is widespread or systematic, and reaches a certain level of gravity, international criminal law becomes engaged. We have a duty to protect the victims of land grabs and associated forced evictions who have no chance of obtaining justice in their own countries.

The Prosecutor should not be concerned about 'opening the floodgates' by acting on this Communication. Not all forcible evictions or transfers are as widespread and systematic as those in Cambodia; not all land grab situations will meet the elements of 'crimes against humanity'.

The following civil society organisations have signed-on to this letter:

1. 11.11.11- Coalition of the Flemish North-South movement, Belgium
2. AFREWATCH, African Resources Watch
3. Africa Europe Faith & Justice Network (AEFJN)
4. Alternative ASEAN Network on Burma (ALTSEAN-Burma) – Burma
5. Alyansa Tigil Mina (Alliance Against Mining), Philippines
6. American Jewish World Service
7. AsM Law Office - Promoting Sustainability, Prosperity and Justice, Indonesia
8. Association of Human Rights Defenders and Promoter (HRDP), Burma
9. CBCP-Permanent Committee on Public Affairs, Philippines
10. CNCD-11.11.11, Belgium
11. Comisión Ecuémica de Derechos Humanos (CEDHU), Ecuador
12. Comisión Mexicana de Defensa y Promoción de Derechos Humanos (CMDPDH), Mexico
13. Commission for the Disappeared and Victims of Violence (KontraS), Indonesia
14. Community Resource Centre, Thailand
15. EarthRights International
16. Environmental Investigation Agency
17. Family Farmers' Association, UK
18. Find Your Feet, UK
19. Focus on the Global South
20. Friends of the Earth International
21. Global Witness
22. GRAIN
23. HAK: Hukum, Alam & Keadilan (Rights, Nature and Justice), Indonesia
24. Indian Social Action Forum (INSAF)
25. Kachin Peace Network, Burma
26. Kachin Women Peace Network, Burma
27. "Justice for All" law firm, Burma
28. Lao Movement for Human Rights (LMHR), Laos

29. Law and Policy of Sustainable Development Research Center, Vietnam
30. Namati
31. Philippine Alliance of Human Rights Advocates (PAHRA), Philippines
32. SAWIT WATCH
33. Share Mercy, Burma
34. Terra Nuova
35. The Corner House
36. The Gaia Foundation
37. The Oakland Institute, USA
38. Timor Leste Land and Housing Justice Network
39. UK Food Group
40. Vietnam Committee on Human Rights (VCHR), Vietnam

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