



**មជ្ឈមណ្ឌលសិទ្ធិមនុស្សកម្ពុជា**  
**Cambodian Center for Human Rights**

**CCHR PRESS RELEASE – Phnom Penh, 11 April 2013**

**CCHR welcomes ground-breaking proceedings initiated in the courts of England and Wales against two subsidiaries of UK-based Tate & Lyle plc on behalf of 200 displaced Cambodian villagers**

[The Cambodian Center for Human Rights](#) (“CCHR”) welcomes reports that proceedings have been issued in the courts of England and Wales against two subsidiaries of the UK-based multi-national company Tate & Lyle plc, Tate & Lyle Industries Limited and T & L Sugars Limited (the “T & L Companies”). The claim was issued by international law firm Jones Day on 28 March 2013 on behalf of 200 residents (the “Residents”) of three villages in Koh Kong province in the Kingdom of Cambodia (“Cambodia”) on the grounds that the T & L Companies have converted raw sugar cane that under Cambodian law lawfully belongs to the Residents, and are therefore liable to the Residents for it.

Supporting this claim are allegations of illegal land-grabbing and other associated human rights abuses reportedly committed by the T & L Companies’ Cambodian suppliers, the Koh Kong Plantation Co. Ltd and the Koh Kong Sugar Industry Co. Ltd (together, the “Koh Kong Companies”). Since 2006, the Koh Kong Companies have reportedly cleared local residents from large areas of disputed land in order to make room for commercial sugar production, despite the fact that Cambodian law states that only state-owned land can be leased to private companies in this way. The Residents argue that they are the legal owners of the land in question, having satisfied the legal requirements for requesting a definitive title of ownership under Articles 30 and 31 of the Land Law 2001 by virtue of having enjoyed uncontested possession of the land since 1996.

Furthermore, agents of the Koh Kong Companies have been accused of committing a large number of well-documented human rights violations against the residents, including battery, criminal violence, theft, arson, wrongful damage, forced eviction, extortion and murder. Due to the high-profile nature of these crimes, it follows that the T & L Companies, as key players in the international sugar market, should be aware of – and assume responsibility for – their suppliers’ actions.

CCHR would like to congratulate all parties concerned for pursuing what could turn out to be a landmark case. As well as securing justice and redress for the Residents, the case should send a strong message to all multi-national companies domiciled in the West that they are subject to the same scrutiny abroad as at home. CCHR hopes that the case will not only raise the benchmark as regards legal accountability for multi-national companies operating in developing countries – often with impunity regarding both local and international law – but also encourage them to take seriously their corporate duty to respect human rights.

Furthermore, CCHR hopes that the case will encourage the Cambodian judiciary to follow the example of the courts in England and Wales, and make both domestic and multi-national corporations operating in Cambodia accountable under Cambodian law. Such steps might help to

prevent further human rights violations in the future, strengthen the rule of law in Cambodia, and establish a new standard of corporate social responsibility in the region. Finally, this case highlights how Cambodia's international reputation and attraction to potential investors might be jeopardized by the failure of companies investing in Cambodia to abide by local and international law.

**In response to these proceedings, CCHR President Ou Virak comments:**

*“Hopefully this case can set a new standard as regards the corporate responsibility to respect human rights in Cambodia and other emerging economies. Too often, due to the ineffectiveness of the Cambodian judiciary, multi-national companies have been allowed to abuse their vast resources to persecute the powerless in their quest for profits. If Western multi-nationals can be held accountable at home, where the rule of law is more established and the courts are more fair, it should prove to be a credible and powerful incentive for multi-nationals to behave more appropriately, while setting a positive example for the Cambodian courts to follow.”*

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Notes to Editor:

CCHR, founded in November 2002, is a non-aligned, independent, non-governmental organization that works to promote and protect democracy and respect for human rights – primarily civil and political rights – throughout Cambodia.

CCHR is a member of the International Freedom of Expression Exchange (IFEX), the global network for freedom of expression. CCHR is also a member of the World Organisation Against Torture (OMCT) SOS-Torture Network.

The Cambodian Human Rights Portal [www.sithi.org](http://www.sithi.org) is the 2011 winner of the Information Society Innovation Fund Award in the category of Rights and Freedoms.