



The case represents a groundbreaking approach—it aims to hold foreign companies accountable for their role in the illegal confiscation of the villagers' land. It asks that the farmers be given fair compensation for goods produced on their stolen land.



A Koh Kong landowner tells her story of forced eviction.

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In Cambodia, thousands are being forcibly displaced from their lands to make way for large-scale sugar production

In May 2006, bulldozers—accompanied by armed military police—began clearing the small farming plots of several hundred villagers in the Koh Kong province of Cambodia to make way for industrial sugar production. The villagers' crops and homes were demolished, money was extorted, and some of the villagers who resisted were brutally attacked. On the heels of this violent eviction, two private Cambodian companies—jointly-owned at the time by a powerful Cambodian Senator and foreign investors—set up operations on the villagers' lands with economic land concessions (ELCs) from the Cambodian government in hand. Soon thereafter, they brokered a deal for the raw sugar derived from the sugarcane grown on the villagers' land with one of the world's largest sugar companies, UK-based Tate & Lyle.

The villagers, subsistence farmers, insist that they rightfully own their land and that the Cambodian companies are operating there illegally. Their land rights are enshrined in the 2001 Cambodian Land Law, which grants ownership to persons who enjoyed "peaceful and uncontested" possession of a property for at least five years before the law came into effect. That same law only permits the government to grant ELCs over "private property of the state", specifically excluding property that is privately occupied in accordance the law's terms. Despite these clear restrictions, in August 2006 Cambodia granted two 90-year ELCs to the Cambodian companies covering nearly 20,000 hectares—including the villagers' land. These grants essentially—and illegally—leased away the villagers' farmlands to corporate interests.

The villagers protested, sent formal complaints, and attempted to negotiate with company and government officials, all without success. Actions brought against the concessionaires in the Koh Kong Provincial Court were blocked by substantial delays. Frustrated, two local NGOs, the Community Legal Education Center (CLEC) and LICADHO, contacted ISLP in late 2010. ISLP's volunteer lawyers helped CLEC and 200 villagers formulate a legal strategy that would move their complaint outside of Cambodia's notoriously corrupt and ineffective judicial system.

Following numerous unsuccessful attempts to engage and negotiate with Tate & Lyle and T&L Sugars (which had purchased Tate & Lyle's sugar business in 2010), the villagers decided to sue the two UK companies in English court under a traditional property rights theory: because the companies had purchased all the raw sugar produced from sugarcane grown on the stolen land, they had illegally converted the villagers' property to their own use.

In March 2013, ISLP's UK lawyers filed suit in the English High Court of Justice to begin the action. The case is ongoing, and in late 2014 another UK law firm stepped forward to assume representation of the villagers over the long-term.

The Koh Kong villagers' case against Tate & Lyle represents a groundbreaking legal strategy—it aims to hold foreign companies accountable for their role in the illegal confiscation of the villagers' land. It asks that the farmers be given fair compensation for goods produced from their stolen lands. And it puts multinational companies conducting business in Cambodia—as well as other places where land-grabbing is prevalent—on notice that they can be held responsible for human rights violations within their supply chains and for engaging with companies complicit in those violations.