



# Borei Keila

CASE STUDIES OF COLLECTIVE HOUSING IN ASIAN CITIES SERIES • JUNE 2023

**This milestone land-sharing project was the first of its kind in Cambodia. A large inner-city squatter settlement within a former government sport housing complex negotiated to move onto a small portion of the same site, where the company redeveloping another part of the site built and paid for blocks of new apartments for the residents, with permanent tenure. With facilitation from the municipal and national governments, the construction costs were subsidized by a portion of the profits generated by the commercial redevelopment, and the apartments were given to the residents free of charge.**

- **Project** Borei Keila Housing
- **Location** Sangkat Veal Vong, 7 Makara District, Phnom Penh, Cambodia
- **Size** 1,392 households
- **Finished** 2010
- **Type** Land-sharing on inner-city public land, with new flats provided free to former squatters, with construction costs cross-subsidized by the private company that was concessioned to develop the rest of the site commercially.

## CONTEXT, PROCESS AND PARTNERS

### The city:

Not too long ago, everyone in Phnom Penh was a squatter. After the fall of the genocidal Khmer Rouge regime in 1979, people began to emerge from the country's jungles and blighted villages and crept into the empty, run-down city. They began occupying whatever houses and spaces were empty or purchased or rented houses from earlier occupiers. After all of the houses and flats had been occupied, people began to build shelters wherever they could find space - on reclaimed swampland, along rivers and roadsides, in parks and open spaces, between buildings, and even on the rooftops of inner-city buildings. For the growing population of poor migrants from other parts of the country, the city offered opportunities and the chance of a new start, after decades of war, upheaval and almost unspeakable horrors in Cambodia.

By the 1990s, Phnom Penh was getting back on its feet, filled with the noisy energy of building, trading, and growth. For those with nerve and resources, the city offered many opportunities to make money and almost no rules. But what the city didn't provide was affordable housing. Despite ten years of communism and state ownership of land, land and housing had become a marketable commodity, like gold or rice, and trade was brisk, if informal. In the absence of affordable housing or government assistance of any sort, Phnom Penh's first-generation urban poor had no choice but to devise their own systems for finding and occupying land, building their own shelters, accessing water and electricity, and finding work. The living conditions in the informal communities they established were often squalid and crowded, but these settlements provided a vital stock of accessible housing and social support for a large portion of the city's working poor.

Although they constituted between a quarter and a third of the city's 1.2 million inhabitants, squatters were not recognized as legitimate citizens by the Municipality of Phnom Penh until the late 1990s, and the city's only solution was to evict them. As the city grew around them and land values continued to rise, many living in these informal communities saw their houses demolished or burned down in increasingly frequent and increasingly violent evictions. In the 2000s, private investors began purchasing large tracts of public land in Phnom Penh for commercial development, and this only accelerated the pace and scale of evictions and involuntary displacement to remote resettlement sites.

Only after some of the city's largest informal settlements had been demolished did the municipality begin to recognize that the evictions were exacerbating poverty and began to consider compensating those who had lost their houses - sometimes in the form of cash and sometimes in resettlement. However, compensation was usually considered only for structure owners and members of saving groups, leaving out many of the squatters and informal renters who also lost their homes, belongings, and livelihoods in the evictions.

In this difficult context, the land-sharing project at Borei Keila was an important breakthrough for the country - a more humane and more equitable solution to an eviction crisis that recognized a poor community's rights to decent housing and found a compromise strategy that provided them with secure housing in the same inner-city location, while at the same time allowing the commercial development that would have displaced them to move ahead. The Borei Keila project also tested and proved a strategy in which the profits generated by the commercial development of public land could cross-subsidize housing construction costs. The project showed that land in the city could be "shared" in a way that allowed everyone to benefit: the poor could stay in the inner city, where their jobs and support systems were, and could live in decent, legal, permanent housing, while the city's development could continue around them.

### The community:

Borei Keila (which means "*Sports Housing*" in the Khmer language) was a dense, inner-city informal settlement of over 1,000 families, in Phnom Penh's 7 Makara District. In the 1960s, a row of four-story apartment buildings had been built there to house Olympic athletes, on land that was owned by the Ministry of Education, Youth and Sport. During the civil war that began soon afterwards (1967-1975), the buildings were occupied by soldiers but later emptied out, along with the entire city, under Pol Pot (1975-1979). After the fall of the Khmer Rouge regime, the site was used as a police training camp (1979-1989). In 1990, the apartments in the buildings were allotted to families of soldiers and police officers.

At that time, there were only a few people living in the Borei Keila area. However, the presence of the United Nations Transitional Authority in Cambodia (UNTAC), the UN's nation-building mission, generated a new sense of security and possibilities in the country and drew a large influx of migrants to the city, beginning in 1993. Soon enough, the soldiers and policemen living in the apartment buildings began informally subdividing the surrounding public land into small plots and renting them out to others. They charged newcomers between 195,000 and 312,000 riels (US\$ 50-80) for permission to build a simple house made of wood, bamboo and brick, on a small plot of vacant land around the apartment blocks. This fee did not include access to municipal

services such as water, electricity, or garbage collection - all of which the families had to access privately, as best they could.

The settlement grew denser and more crowded as more people sought cheap land in the central city, and the practice of renting out plots and subdivided plots to other poor families increased. The soldiers and police officers continued to be the landlords for many people in Borei Keila, but keeping track of how many of these officers continued to live on the site became increasingly difficult. Aside from acquiring land for constructing a small house, some of the better-off newcomers rented apartments in the four-story blocks that had been vacated by their previous occupants. Between the apartment blocks and the surrounding slum settlement, approximately 1,500 families were living in Borei Keila by the late 1990s, including over 500 renters and 86 especially vulnerable families with HIV-positive members. Only 17% of these households had some form of identification. Aside from the police officers and soldiers, most of the residents were street and market vendors, daily laborers, tailors, and moto-taxi drivers, with monthly earnings ranging from US\$ 80 to 180.

#### **Eviction threats:**

The large size and central location of Borei Keila gave the site substantial development potential. The government was eager to realize that potential and had been trying to clear the slum for years. The first eviction notice was posted in the community in 1996, ostensibly to clear the site for building a new sports stadium. The people banded together to defend their occupation and fight the eviction. With help from a local NGO, the Urban Sector Group (USG), and a growing network of informal communities in Phnom Penh (the Solidarity and Urban Poor Federation - SUPF), the residents of Borei Keila began organizing themselves to negotiate with the authorities for permission to stay or for compensation if they were going to be evicted. The residents formed a community committee, and USG and SUPF provided training in organizing, lobbying, human rights and leadership, as well as health care and women's participation. When the municipality actually sent the police in to evict the community at the end of 1996, the residents were prepared. Although some houses were demolished, the people were able to stop the eviction and the police eventually withdrew.

Efforts by the authorities to clear Borei Keila and redevelop the site were not over though. Eviction rumors began to swirl again in 1997, and the prime minister pledged that residents of Borei Keila would receive compensation if the site were redeveloped. It was never quite clear how much compensation would be offered: some understood that it would be US\$ 500 per family, while rumors swirled around of compensation figures as high as US\$ 7,000 per family. This prompted many new families from outside the community to hastily construct simple shelters on the site, in the hopes of receiving compensation when the eviction happened. Later in 1997, a slum community within the compound of the nearby Juliana Hotel site was evicted, and the residents were all relocated to Borei Keila. This swelled the population even more. Gradually, the residents of the sprawling settlement began dividing themselves into several distinct communities. The eviction threats faded over the next few years, but in 2000, plans were revived to renovate the athletes' quarters for the 2004 Asian Games, causing renewed uncertainty in the community.

#### **The community process:**

To build their collective power and tackle the problems emerging from the growing eviction crisis in the city, some poor communities in Phnom Penh began setting up their own self-help savings and credit groups and formed their own network in 1994, with support from ACHR and local housing activists. In 1998, the Urban Poor Development Fund (UPDF) was set up, in an effort to consolidate the links between these community-based savings groups and to improve their access to finance, to collectively undertake small housing and settlement improvement projects. After the signing of a Memorandum of Understanding between the community savings network, the Municipality of Phnom Penh, and ACHR, the UPDF was officially launched, with a lending capital of US\$ 450,000, which included contributions from SUPF, the Municipality of Phnom Penh and ACHR (using overseas donor funds). The UPDF was conceived as a collaborative financial institution to help community-based savings groups to work collectively and collaboratively to gain access to land and housing, upgrade their communities and improve their livelihoods.

The residents of Borei Keila, who had divided themselves into ten distinct communities by then, were part of these developments and went through a parallel mobilization process. At first, there was little communication or cooperation between the ten communities, and that made it easier for the people to be influenced by government-appointed community leaders, who did not necessarily represent people's interests. But their shared problems were about to change that. The process of bringing the separate Borei Keila communities together into a more cohesive and effective whole was assisted by SUPF and USG, which helped set up savings groups in the community and used savings and credit as a tool to mobilize the residents - particularly the community women. The UPDF, ACHR, and Slum Dwellers International (SDI) also supported the savings efforts in different ways, to strengthen the communities' capacity to manage money and make decisions

collectively. Out of the ten communities on the Borei Keila site, eight eventually opted to work with SUPF and USG, while two remained wary and waited to see what would happen.

Besides savings in the Borei Keila settlements, another important activity for the collective process was a series of comprehensive surveys of the community. The first was carried out in 2001, in collaboration with the local authorities. USG, SUPF, and the Urban Resource Center (URC) assisted with the survey, with a little funding assistance from the United Nations Centre for Human Settlements (UNCHS). With this collective and collaborative effort, the residents, the municipal government and other stakeholders began to get a clearer - and common - picture of who was staying in the settlement and what people's housing and settlement upgrading needs were. The survey conducted in Borei Keila revealed the presence of 1,429 families residing in ten separate communities. Among these families, 1,107 were living in the eight communities that had already established a level of collective organization, while the remaining 322 families resided in two communities that had not yet initiated the process of community organizing.

#### **Initiating the project:**

In response to the mounting eviction threats - in Borei Keila and in the city as a whole - SUPF and UPDF organized a large workshop in November 2002, with support from ACHR, to explore new possibilities for upgrading low-income communities in the city, including several innovative housing ideas and strategies that had been tried and tested in other Asian countries. One of those ideas was land-sharing - a housing upgrading strategy that had been pioneered in several milestone housing projects in Bangkok, Thailand.

#### **Learning from land-sharing in Bangkok:**

By the 1980s, there were about a thousand low-income informal communities in Bangkok, and a quarter of them were under threat of eviction, to make way for various commercial developments and urban infrastructure projects. Development pressure on land in the city was heating up, and conflicts between the housing needs of the poor and the development needs of the city were increasing. The losers in those conflicts were almost always the poor. Eviction meant losing their housing, their support systems and their access to nearby jobs. When poor communities did manage to hold on to their inner-city land, a kind of stalemate ensued: the landowners (whether public or private) couldn't develop the land while the squatters stayed, and the squatters couldn't invest in improving their housing since their tenure was so insecure.

Land-sharing is Bangkok's home-grown strategy for resolving these conflicting claims in a compromise solution that allows both the landowner and the community people to benefit. After a period of negotiation and planning, an agreement is reached to "share" the land, where the settlement is divided into two parts. One part (usually the less commercially viable part) is given, sold, or leased to the community people for rebuilding their houses, in a more compact arrangement, and the rest is returned to the landowner to develop. There's no rule about how the land is divided: how much of the land the people get and how much goes back to the owner is all worked out during the negotiations.

At the core of a land-sharing negotiation is the ability to translate the conflicting needs and conflicting demands of owners and occupants into a compromise that takes a concrete "win-win" form and is acceptable to all parties involved - it's not an abstract policy or set of regulations. Land-sharing is also a way of dividing the cream of urban prosperity a little more equitably: the community people may end up with less area than before, and the landowner may get back less-than-all of the land, but the trade-off is that the poor can stay where they have been living and working, get secure tenure and decent housing, and keep their community and support systems intact. The landowner also saves the time, cost and loss of face of a long eviction litigation and finally gets to develop the land. Even the government benefits, with an additional stock of secure land and housing to meet the city's urban poor housing needs, without having to pay for it, and increased property tax revenue due to commercial development on part of the land.

#### **Planning Phnom Penh's first landsharing project:**

During the upgrading workshop, a handful of communities - including Borei Keila - were chosen to explore land-sharing as a possible strategy for redeveloping their housing in the same place, in collaboration with the municipal and national government. This potential solution was presented to local authorities with the support of community-based organizations and ACHR, to persuade the Prime Minister to assist urban poor communities in their efforts to organize themselves and redevelop their own settlements and housing.

Meanwhile, community leaders in the Borei Keila settlement organized a big meeting with all residents to discuss the land-sharing option. More than 200 people attended, and while everyone agreed that staying on the same land was their top priority, many were opposed to the idea of improving their homes. This was due to the fact that many Borei Keila residents were renters who saw little long-term benefits from a project to improve the housing that didn't belong to them. They were more worried about more evictions, and afraid that if the



housing was improved too much, other groups with more money would buy into the community and the original residents would be pushed out and into greater poverty.

Most people's doubts were dispelled, however, when the Cambodian Council of Ministers made a groundbreaking announcement in 2003 to launch a set of four pilot projects which would test a new "social land concession" policy for housing the urban poor in Phnom Penh, on part of the land they already occupied. To everyone's delight, Borei Keila was at the top of the list:

- **Borei Keila** (1,776 households) Land-sharing on 4.6 hectares (31.5% of the original land)
- **Dey Kraham** (1,465 households) Land-sharing on 3.7 hectares (78.6% of the original land)
- **Santhi Pheap** (70 households) Land-sharing on 2.6 hectares (25% of the original land)
- **Roteh Pleong** (255 households) Land-sharing on 2.5 hectares (25% of the original land)
- **Total:** 3,566 households were to be housed on 13.4 hectares of land

For Borei Keila, the largest of the four pilot communities, the land-sharing strategy for upgrading their housing would involve a portion of the land they already occupied being given by the government to a private developer, on the condition that the developer would build enough housing on a portion of the same site to accommodate all of the families in the community, while it developed the rest of the site commercially. To be eligible for a housing unit in the new land-sharing project, people would have to be recognized as having resided in Borei Keila since 2003.

In addition to structure owners and occupants of the apartments, it was decided that renters who had been living in the community for at least three years would also be eligible for housing units in the new complex. Since many of the informal landlords had moved out of the settlement by then and had been renting out their apartments or small plots to others for many years, an agreement was reached during the upgrading discussions that absentee landlords, as well as their renters, would be entitled to one apartment each. That way, even landlords who owned multiple apartments or rented out multiple plots would get only one apartment in the new development. A joint committee comprising community leaders, NGO supporters and government staff conducted a fresh survey and identified 1,776 eligible families in Borei Keila. The list of families was then sent to Prime Minister Hun Sen, who agreed that all 1,776 families would be allowed to stay and would receive free apartments, as compensation for handing over their land for the redevelopment.

The government chose a private construction company, Phanimex, owned by a powerful businesswoman with ties to the Prime Minister's family, to build and pay for the new houses for the community members, using part of the profits the company would realize by developing the rest of the site commercially. As the project took shape, some residents remained opposed to the land-sharing project and were reluctant to trust either the government or the private developer. Even as the construction began, many in the community feared that the impressive new apartment blocks going up were not really being built for them at all, and that the whole project was a trick to evict them from the settlement. However, as the collective savings practice expanded, new leaders emerged from the savings groups, and collective organization within the community became stronger. Gradually, feelings about the project changed and people's trust in the process began to grow. A 21-member joint collaborative committee was formed, comprising leaders from within Borei Keila groups and the District Chief, to oversee the project and address problems that came up.

#### Support groups and partners in the project:

- **Solidarity for the Urban Poor Federation (SUPF)** was a network of community-based savings and credit groups in Phnom Penh, which was active in many of the city's largest slums - including Borei Keila - in the 1990s. Later, after many ups and downs, SUPF was dissolved, but the community savings process thrived and continued to expand, in Phnom Penh and in many other cities in Cambodia, under the umbrella of the national Community Savings Network of Cambodia (CSNC).
- **Urban Sector Group (USG)** was a local NGO, based in Phnom Penh, which assisted with the mobilization of people into savings groups and supported them in conducting surveys and mapping during the early stages of the Borei Keila project.
- **Urban Resource Center (URC)**, a local NGO which brought together young Cambodian community architects and activists, worked with the residents in Borei Keila to develop several land-sharing layout options and housing designs for the project, which were used in negotiations with the city.
- **Asian Coalition for Housing Rights (ACHR)** was instrumental in persuading the authorities in Cambodia to implement land-sharing as an alternative to eviction and resettlement and supported the Borei Keila project in the early stages - including facilitating exchange learning visits to landsharing projects in Thailand, India, and Indonesia, which allowed Borei Keila's community leaders and supporters to see that land-sharing was feasible and could be applied in the Cambodian context as well.
- **Municipality of Phnom Penh** engaged in discussions with community-based organizations and other stakeholders in the city about the implementation of the land-sharing projects and facilitated the land

concession policy which allowed a portion of the state-owned land to be developed for housing the families of Borei Keila.

- **Council of Ministers of Cambodia** supported the implementation of the housing project at Borei Keila and others in Phnom Penh, by adopting a policy of concessioning public land for social housing projects.
- **Phanimex Construction Company Ltd.** is the private-sector developer chosen by the government to develop the entire Borei Keila project and to design, construct and pay for the ten blocks of flats for housing the Borei Keila families. Citing financial problems, Phanimex declared bankruptcy and withdrew from the project, after building only eight of the promised ten blocks, leaving the municipal government with the task of housing the remaining families.
- **Urban Poor Development Fund (UPDF)** was established in 1998 to support and link together urban poor community groups in Phnom Penh and other Cambodian cities, and to provide organized communities with access to finance for their community-driven development initiatives. UPDF supported the organization of people into savings groups and assisted them in carrying out a comprehensive survey in the early days of the Borei Keila project.
- **Community Organizations Development Institute (CODI)** is a public organization in Thailand, whose work was an important example and inspiration for the land-sharing project in Borei Keila. CODI also provided assistance in organizing exposure visits for architects and community members from Cambodia to explore its housing projects.
- **UN-Habitat** (called UNCHS at that time) worked with the Municipality to assist the pilot land-sharing projects - including the one at Borei Keila - with advocacy, design support and documentation.

## LEGAL FRAMEWORK OF THE PROJECT

### Legal background of the project:

The families living in the Borei Keila community did not have any kind of ownership titles or occupancy rights to their houses, flats, or plots of land - but neither did anyone in Phnom Penh at that time. Within the community, which the municipality considered to be a squatter area on government-owned land, the occupants fell into two categories:

- **Structure owners:** In the first category were the "owners" who had built their houses themselves or purchased them from previous occupants or from those occupying the apartments. The closest thing these people had to an ownership document was the family identification book, issued by the municipality to permanent residents of the city. Although this book did not guarantee tenure security, it could be helpful in negotiating compensation in the event of an eviction.
- **Renters:** In the second category were the "renters" who were usually households too poor to buy the rights to a house or pay for the recurring bribes associated with structure ownership. Families in this group had no choice but to rent rooms, houses, or spaces from other "owners." Renters were not usually recognized as having any rights to resettlement or compensation if eviction occurred.

### Government support:

In response to lobbying from the community organizations, NGOs and the United Nations, and after years of seeing eviction as the only solution to the problem of poor and informal settlements in the city, the Municipality of Phnom Penh agreed in 2003 to an innovative approach for resolving the conflicting housing needs of its poor citizens and the development needs of the city in projects like the land-sharing at Borei Keila. A social land concession order was issued by Prime Minister Hun Sen, which set aside 4.6 hectares of the land in Borei Keila (amounting to about 30% of the total 14.12 hectares) for the land-sharing project, with 2 hectares (43%) being granted for housing the families living in the existing slum and 2.6 hectares (57%) being granted to the Phanimex Company to develop commercially. The remaining 9.52 hectares of land would revert to the government's Ministry of Education, Youth and Sport, for public purposes.

This compromise strategy, which used government land for housing the poor, for commercial development, and for public purposes, represented a major change in the attitude of the government. As SDI's president Jockin Arputham explained at the UPDF anniversary meeting in 2003, *"Ten years ago, the government only wanted to throw the people out. Every year in Borei Keila, they put up a board announcing 'This land is reserved for a stadium, and everyone staying here will be evicted!' But today, the government is giving land for these people to stay there. They are not being thrown out after all."*

### Land tenure:

Under the land-sharing scheme, all eligible families in Borei Keila received "residency rights" documents, which made them the owners of the apartments they were given free of charge. Two decades after the project began, the government announced in early 2023 that it would also issue individual land titles to all the families

living in the eight buildings that were finally completed in the Borei Keila housing project. As part of the government's tenure terms, the families are also exempt from paying ownership transfer taxes, property taxes and other fees.

## PROJECT FINANCING

### Financing:

The financing strategy in the land-sharing project at Borei Keila used a form of cross-subsidy, in which a small part of the large profits that were generated by developing the 2.6-hectare commercial part of the site (by the Phanimex Company) was used to subsidize the cost of constructing the new apartment buildings for the residents on the other 2-hectare portion of the site, so the community members got their apartments for free. The cost of constructing each apartment came to about US\$ 7,000 (or about US\$ 1.2 million for the entire project). This sum was borne entirely by the Phanimex Company, as part of the land concession agreement it had with the government. The families got their apartments at no cost and only have to pay for maintenance, electricity, and water supply, all of which are collectively managed by the residents' savings groups.

## DESIGN AND CONSTRUCTION

### Design process:

**Mapping and surveying:** As a first step in the design process, the community measured and mapped the entire Borei Keila site again, to better understand the scale and size of the settlement and the population, and to get to know one another better. To break down the sprawling community into smaller and more manageable parts, the site was divided into eight zones, with two community volunteers assigned to map each zone. Lanes, alleys, houses and open spaces were all measured, allowing the technical team from URC to calculate the amount of space they had to work with for housing planning. The mapping process provided hands-on training for the community that would be useful in future stages of their housing development. After the site mapping, the community carried out the first of several household surveys, to collect information about each family in Borei Keila, including their family size, their daily income and expenditure and the size and construction materials used for their current house. The results of this survey were later relayed back to the community members in a series of community meetings, so everyone in the settlement could have a common understanding of the settlement's size and conditions, as well as a clearer sense of how much they could contribute financially to the project to improve their housing conditions.

**Design help from Thailand:** Towards the end of 2002, a group of young Thai community architects visited Phnom Penh and spent some time working with the URC, UPDF, and community leaders to explore the viability of a land-sharing scheme for Borei Keila. Working with the community members, the Thai architects prepared two alternative schematic plans for Borei Keila: one for land-sharing (where the community gave some of the land they occupied back to the city and redeveloped their housing on a smaller part) and one for on-site reconstruction (where the community rebuilt on the same land they already occupied). These two schematic plans served as a starting point for discussions with the residents about what aspects of the housing and layout designs were important to them and how they could create more open community spaces. The land-sharing scheme entailed constructing low-rise buildings (2, 3, and 4-story blocks of walk-up flats) on approximately 10% of the entire 14.2-hectare Borei Keila site.

**Exposure visit to Bangkok:** Then, in March 2003, ACHR invited a group of community architects and community leaders from the four pilot upgrading communities in Phnom Penh (including Borei Keila) to join an exposure visit to Thailand. During the visit, the team from Phnom Penh visited several of the early land-sharing projects in Bangkok: Sengki, Manangkasila, and Arkarn Songkroa. These important housing projects gave the visitors a clear idea that redeveloping slum housing in the form of small, tightly planned rowhouses could be a cheaper land-sharing option and quite reasonable to live in. The Cambodian visitors also met with architects at the Community Organizations Development Institute (CODI) to discuss possible land-sharing options. During the visit to Thailand, the team also met leaders from Klong Toey, Bangkok's largest slum, where one of the Klong Toey communities - Block 7-12 - was in the process of planning their own landsharing project, with CODI's support.

**New design ideas back home:** The community members and support professionals returned to Phnom Penh with new inspiration and were eager to get back to work on their housing ideas. They began by drafting a land-sharing plan with small single-family rowhouses, which took up 30.6% of the total land. The next draft plan had a more compact arrangement of duplex rowhouses, with one family upstairs and one family down below, on

19% of the total land. Although most of the residents preferred to have houses with their own small plots of land, they agreed that to strengthen their negotiations to stay, the most strategic and most efficient way to re-house everyone in the large community, on the smallest portion of the land, would be to build blocks of flats. So, they returned to the concept of apartment blocks, similar to one of the early designs drafted by the Thai architects. The schematic layout plan was drafted by one of the Cambodian architects and included multi-story buildings with 48-square-meter apartments on 29% of the land. All three of these redevelopment possibilities were also discussed with the Ministry of Education, which by then had control of the land.

*Comparing three of the land-sharing design options:*

<i>Land-sharing design option</i>	<i>No of units</i>	<i>Living space</i>	<i>Cost per unit</i>	<i>% of land on site used for housing</i>
<b>OPTION 1</b> Small single-family rowhouses with high ceilings for internal lofts	1,500 units	18.6 m <sup>2</sup>	US\$ 1,386	30.6%
<b>OPTION 2</b> Duplex rowhouses, with one family up and one family down	1,500 units	25.6 m <sup>2</sup>	US\$ 1,300	19%
<b>OPTION 3</b> Flats in 4-story blocks, with 4m high ceilings for internal lofts	1,800 units	48 m <sup>2</sup>	US\$ 3,400	29%

### House design and layout plans:

After many intense participatory workshops and community discussions about the design of the housing, and the development of several schematic plan options, the municipal government stepped in and turned over the housing design process to the Phanimex Company. Thankfully, the company took into account some of the key design ideas the community had developed, including having tall ceilings in all the units which would make it possible for families to construct internal sleeping lofts. In the company's final design, a row of ten concrete-framed buildings was to be built on two hectares of land, on the site's northwest corner, which would house more than 1,700 families. Each building would be six stories tall, with 29 apartments on each floor, with a wide corridor running down the middle, which would provide space for air to circulate, residents to socialize and children to play. The ground floors of the buildings would be left open and would be used as common recreation, parking, and market areas for the residents. The one-room apartments would be 5 x 8 meters (16.4 x 26.2 feet) or 40 square meters in size (430.5 square feet). Because the ceilings were 4.2 meters high, residents would be able to add internal mezzanines and create more living space for their families, at their own pace and according to their needs. Each apartment would have its own bathroom and balcony, as well as individual municipal electricity and water supply connections.

### Housing construction:

The construction of the new buildings was managed entirely by the Phanimex Company, with only very little participation of the community members in monitoring and inspecting the process. Because the original Borei Keila settlement took up nearly the entire 14.2-hectare site, the new apartment buildings had to be constructed in stages, to minimize displacement of families during the construction. First, the houses on the northwest corner were demolished, the rubble cleared, and families relocated to temporary housing on the periphery of the area. By March 2007, the first three buildings had been completed and the first batch of families moved into their new apartments. The same sequence was repeated for the next three buildings.

In 2008, the foundations for the last four buildings were laid. But after completing the construction of eight buildings, the Phanimex Company's owner declared bankruptcy, and the work stopped. The last two buildings were never built. By then, hundreds of families remained on the site, living in shacks and temporary shelters. Many of them were on the list and waiting to move into their new flats in the last two buildings, while others had moved onto the site during the construction process, with the hope of getting a spot in the new development. Finally, none of those remaining families were housed on the site, and in 2012, with support from the police, the contractor evicted the last remaining families from the site.

## COMMUNITY AND PROJECT MANAGEMENT

### Project timeline:

**1960:** A complex of four-story apartment blocks is built in central Phnom Penh, next to the new Olympic Stadium, to house athletes, on public land under the Ministry of Education, Youth and Sport.



- 1967:** Soldiers occupy the buildings during the period of Cambodia's civil war.
- 1975:** During the Pol Pot regime, the buildings are left vacant, along with almost all of Phnom Penh.
- 1990:** The apartments are allotted to the families of police officers and decommissioned soldiers.
- 1993:** The vacant land around the Borei Keila apartments is subdivided by the apartment residents and informally rented out to hundreds of poor migrant families, who build their own shacks there.
- 1996:** As development pressures on the inner-city land increase, eviction threats by the government begin and are revived every few years. The residents begin to organize themselves to resist eviction.
- 2002:** The idea of land-sharing for Borei Keila is first presented to the government during a SUPF workshop in November. Residents form savings groups, measure the site, and conduct a first household survey.
- 2003:** Prime Minister Hun Sen announces that Borei Keila will be redeveloped as a pilot land-sharing project. Community members, local NGOs, and architects from Thailand work on the redevelopment plans. The government selects Phanimex Company to construct the housing project and to redevelop a portion of the site commercially.
- 2007:** The first three apartment blocks are completed, and an inauguration ceremony is held in March. The first batch of 522 families moves into the finished apartments.
- 2009:** The approval of another construction project on the land results in the eviction of about 40 Borei Keila families from their on-site temporary shelters to a remote location.
- 2010:** Phanimex Company declares bankruptcy and suspends construction after completing only eight of the promised ten buildings, leaving some 350 resident families unhoused and in limbo.
- 2012:** On January 3, the families remaining on the Borei Keila site after the construction was halted are violently evicted.
- 2017:** On the fifth anniversary of their eviction, dozens of the evicted families attempt to occupy an apartment building behind the project, in an attempt to secure greater compensation.
- 2018:** Some families accept compensation, after reaching individual agreements with district authorities to accept a cash payout or relocate to the distant municipal relocation site at Oudong 2, while others hold on and keep pushing for their houses to be built on the same land, as originally promised.
- 2023:** The government announces its intention to issue individual land ownership certificates to all Borei Keila residents in the eight completed buildings.

### Community management:

All of the early workshops, meetings, mapping, surveying and community engagement allowed many new ideas to blossom, about how the Borei Keila community members could organize themselves and become involved in many aspects of their settlement's redevelopment. One idea the people discussed was pooling their resources to fund a community-based waste collection system. Another was to develop a system for maintaining the community's roads and drainage lines, in which the poorest or unemployed residents of the settlement could perform these maintenance tasks and be compensated by the collective project. Many residents participated in discussions about what flowers and trees to plant, what colors to paint the buildings, and how to implement community infrastructure in affordable and easy-to-maintain ways, without the need for special equipment or specialists on site.

Once the Phanimex Company became involved, though, it became clear that the design and construction of the buildings would be managed by the company, and the community's participation would be curtailed substantially. At the start of the project, Phanimex selected one community member in each building to be a "building chief", in charge of overseeing maintenance, communicating with service providers such as waste management and water supply companies, and reporting their activities to the company's local staff. Aside from these "building chiefs" appointed by the company, several community leaders also played important roles in linking with local NGOs and bridging the residents with support organizations from across the city. Although the Borei Keila community was well organized and held meetings every few months to discuss needs and resolve problems, people's decision-making power about the management of the buildings ended up being limited, and most problems had to be addressed directly with the company's property manager, through the company's system of the "building chiefs."

Despite these constraints, the residents of the eight completed buildings at Borei Keila have taken active possession of their apartments and the common areas on the ground floor and made arrangements to make their living spaces more comfortable and the larger community environment more supportive of their lives. Several residents, for example, have been able to rent space on the open ground floors for their food vending and retail selling businesses, and this has made the areas under the buildings into vibrant local markets, which provide many layers of livelihood opportunities to residents. Many residents have also set up small stalls in the wide corridors of the upper floors, where they sell a variety of prepared foods and other goods to their neighbors. These spontaneous efforts have increased people's sense of ownership of the Borei Keila community and play a big part in their ability to thrive and improve their lives there.

## IMPACTS OF THE PROJECT

### Problems:

**Difficulties determining who was eligible for apartments:** There were many challenges in determining who was who in this sprawling settlement and who would be entitled to free apartments in the redevelopment. For example, many new residents moved into the community between 2003 and 2007, after the approval of land-sharing had been announced. These new families included relatives of residents, renters, or simply people who had heard about the upcoming project and hoped to be part of it. None of these latecomers were on the list and none had rights to an apartment. Meanwhile, others who had been living there for a long time had somehow fallen through the cracks during the survey process, so their names were not on the housing list, even though they were entitled to apartments. All these factors meant that the number of people to be rehoused fluctuated between 1,400 and 2,000 households. It took a lot of time and effort to check and cross-check people's data several times to determine who should get an apartment in the new development. These problems were made even more difficult when the local authorities took over managing the list of recipients, and everything became even less transparent and more fraught.

**Slow pace of construction:** Despite all the good intentions, the project took a long time to come to fruition. Five years after the land concession had been granted at Borei Keila, only three of the ten buildings had been completed. While the first group of families moved into their apartments in 2007, nearly three-quarters of the beneficiaries continued to live for several more years in extremely squalid and difficult conditions on the site. Many whose houses had been demolished to make way for the new buildings were living under tarpaulins and temporary shelters near the construction site while they waited for their new apartments to be built. Because of the slow progress of construction, some families lost hope in the process and opted to sell their residency rights and move elsewhere, and an informal market of buying and selling rights in the project began to operate.

**More evictions halfway through the project:** In 2008, a project to construct a new Ministry of Tourism building was approved, on land within the 14.2-hectare Borei Keila site. That land was not part of the concession, but many families waiting for their new housing were living in temporary shelters on that land. A group of about 40 families staying on that portion of the site - each with at least one HIV-positive member - were threatened with eviction to make way for the new Ministry of Tourism building. The families were offered resettlement at the municipal relocation site at Oudong 2, some 20 kilometers outside the city. The eviction was covered in the local press and sparked criticism of the government's treatment of these families, who had already been subjected to discrimination during the apartment allocation process. The unserved and far-away relocation site was heavily condemned as being inadequate, especially for HIV-positive people, since sanitation and health services were not available out there. Despite protests, the families were evicted and relocated to Oudong 2 in 2009.

**Construction company broke its promise:** In a highly controversial move, the owner of the Phanimex Company declared bankruptcy in 2010 after completing only eight of the ten apartment blocks promised to house the 1,700 families who were displaced to make way for the commercial development of the land. This left more than 300 Borei Keila families in limbo for many years, with most of them staying in temporary shelters on the site, until they were eventually evicted, and their houses were demolished by Phanimex employees, with police overseeing the demolition. They were told by the local authorities that they had no option but to accept financial compensation and move to the municipal relocation sites at Oudong 2 or in the adjacent Kandal Province, far outside the city. For a while, many families rejected this option and continued to stay and negotiate for a housing solution in the same location. Two years after many of the remaining families had been evicted from Borei Keila, this is how one community member described their situation: *"We have struggled to live on a pile of rotten rubbish in dilapidated tents, under the balcony and under the staircases of the new Borei Keila buildings - the same buildings we have been waiting so many years to live in."* As the years passed, though, the protests diminished, and more and more families reluctantly accepted the compensation offered to them by the local authorities and moved on. Another commitment that was not met was the construction of community spaces on the ground floors of the apartment blocks, which were to be managed by the residents. Instead, the Phanimex Company continued to manage the buildings and charged commercial-rate rent to residents who wanted to set up shops on the ground floor.

### Social and political impacts:

**Phnom Penh's first land-sharing project:** The Borei Keila project is far from perfect, but it was a big breakthrough for low-income housing development in Cambodian cities and demonstrated a practical, possible alternative to eviction and relocation to remote sites. As a strategy for allowing people to stay on the same inner-city land and remain close to their jobs, families and support systems, the Borei Keila land-sharing project was an important test case for the "social land concession" process in Cambodia. In this project, a housing and land-use compromise solution made room for poor people's housing, benefitted the government by upgrading a

centrally located slum and the roads around it, freed up for other developments most of the public land that the community had occupied, and allowed the construction company to realize enormous profits by developing part of the site - enough to subsidize the entire cost of housing the Borei Keila residents. The project also represented an important strategy for how the government could support its poorest urban citizens, who were struggling to make a living after decades of war, devastation, violence and evictions. Despite its problems and limitations, the Borei Keila project improved the lives of some of the city's poorest families and gave them more stability, while also opening up new avenues for collaboration between the government, poor community organizations and their supporting organizations.

**Leveraging funds for social housing from the private sector:** The way the housing project was financed was also a significant milestone for the country. The Borei Keila project showed how land resources from the government and finance from the private sector could be blended to create decent, accessible, permanent housing for low-income families in the city. The land-sharing deal that was struck between the community, the municipality, the national government and the construction company enabled funds to be secured for the construction of nearly 1,400 apartments, at no cost to the families who would live in them. In a country like Cambodia, with a government that is perpetually starved for resources, that arrangement allowed an expensive, large-scale housing project for some of the city's poorest citizens to happen - a project that would never have been possible with donor money or public budgets.

**Recognizing renters' rights:** Another important aspect of the project, in the Cambodian context, was the recognition of housing rights not only of previous structure owners but also of the informal renters in squatter settlements. This is important because room-renters and space-renters are often the poorest and most vulnerable group in any informal settlement, and when evictions happen, they are usually excluded from receiving any form of compensation or being given a place in any resettlement projects.

## FOR MORE INFORMATION ABOUT THE PROJECT

*This case study was written by Marina Kolovou Kouri in June 2023, drawing on reports and correspondence about the Borei Keila project from ACHR's archive and more recent publications and news reports.*

*Licadho, 2009. HIV/AIDS Families evicted from Borei Keila (Briefing Paper), Planète Enfants & Développement, 2020. Evaluation of the Land Sharing Project in Borei Keila. Ten years on, what have we learned?*

*For more information about the Borei Keila housing project, please contact ACHR.*

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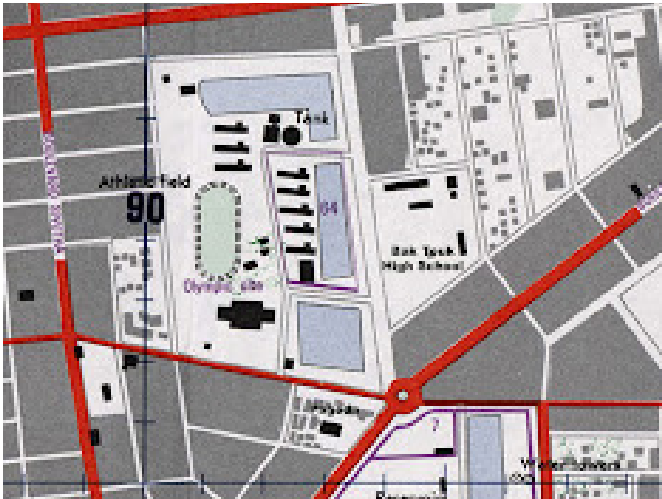
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## PHOTOS



*In the 1960s, a housing complex for athletes was built in the center of Phnom Penh on land owned by the Ministry of Education.*



*Initially, the apartments in the sleek, modernist complex at Borei Keila were used to house athletes training for the Olympics.*



*After lying vacant during the Pol Pot regime, the apartments were used to house the families of policemen and decommissioned soldiers.*

*Greater stability in the early 1990s drew large numbers of migrants into the city, who settled on any land they could find - including in Borei Keila.*



*Soon enough, the police officers who lived in the apartment complex began subdividing the surrounding public land into smaller plots for low-income migrants to rent. They would typically charge newcomers between 195,000 and 312,000 riels (US\$ 50 and US\$ 80) to build their simple wooden, brick, and bamboo houses.*





Some better-off families rented apartments that had been vacated by the soldiers, while many more lived in small shacks on the increasingly crowded land around the apartment blocks. Eventually, the settlement grew very dense, with some 1,500 families living in the community, under a variety of informal occupation and rental arrangements.



As Borei Keila swelled in size, the city around it kept growing too. The prime location in the heart of Phnom Penh made the site increasingly attractive for development, and soon the government was threatening the residents with eviction. Some houses were actually demolished in 1996, and eviction threats continued.

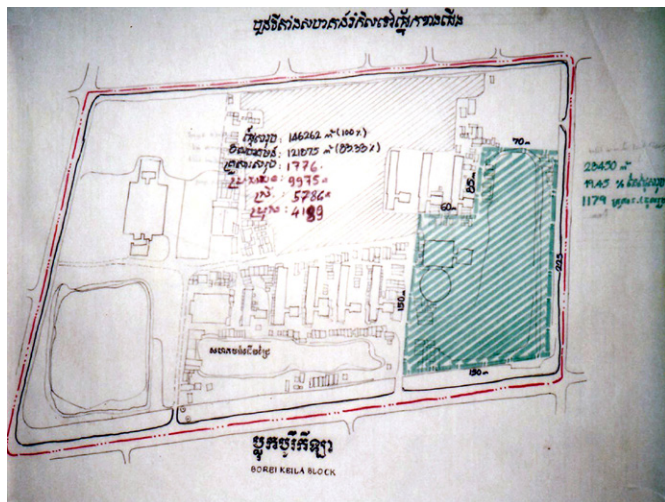


With help from local NGOs, the community people began organizing themselves to collectively resist these evictions and find an alternative.

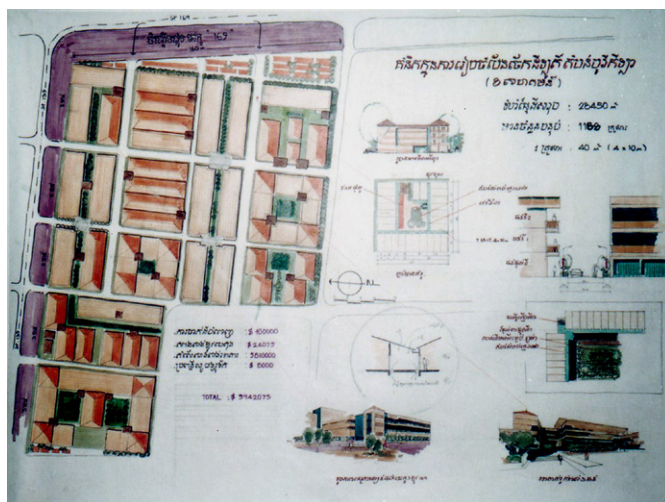


After surveying and mapping the settlement and starting savings groups, the people began exploring on-site housing upgrading options.





In 2002, SUPF and URC organized a workshop to explore how poor communities could improve their housing and living conditions in the same place, without being displaced. One of the ideas in that workshop was land-sharing, in which part of the land people already occupy is returned to the landowner to develop commercially and part is used to re-house the community residents, in a smaller, tighter arrangement of houses.

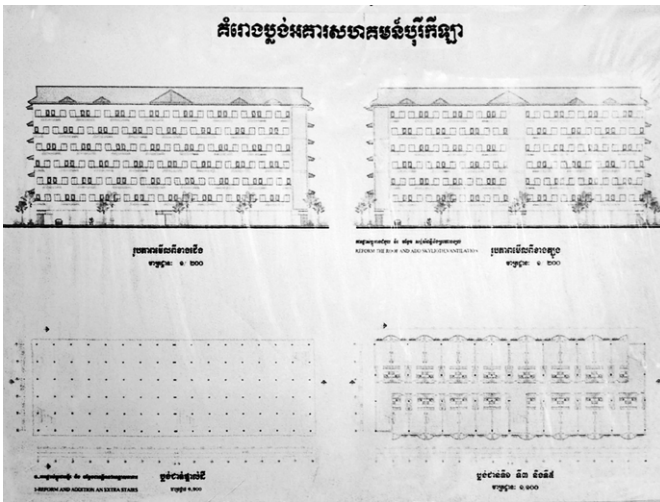


After the government's "Social Land Concession" policy was approved in 2003, community architects began experimenting with various schemes for Borei Keila. They looked at variations of two, three and four-story buildings, which would occupy between 10% and 30% of the original 14-hectare site.



A team of Borei Keila residents and community architects visited Thailand, where they saw dense, compact housing projects being developed by poor communities, and exchanged ideas with architects at CODI and veteran community leaders in Klong Toey - Bangkok's largest informal settlement.





After a series of participatory community design workshops, the government handed over the task of designing and building the new housing at Borei Keila to a private developer, the Phanimex Company, which designed a row of ten seven-story buildings, which were to include 1,740 apartments for Borei Keila residents. Many of the ideas from the community design process were incorporated into the company's plans.



Construction of the new apartment blocks began in 2005, two years after the land-sharing project had been approved by the government. Because the old settlement occupied most of the site, the new apartment blocks had to be built in stages, to allow people to remain on the site during construction.



Work began in one corner of the site, where the first batch of houses was demolished and the families moved into on-site temporary housing.

Here, the construction of the first three buildings is almost finished, with the Phanimex Company workers doing the plastering and internal work.





Each seven-story walk-up building has three stairways, and each floor has 29 apartments, arranged along both sides of a wide, open corridor, which makes for good cross-ventilation in the apartments. The apartments also have small balconies, which provide a place for drying clothes and watching the world below go by.



Each one-room apartment has 40 square meters of space, with 4.2-meter-high ceilings, which make it possible for families to build internal lofts, to expand their living space.

The apartments, which have quite good natural light and ventilation, come with a private bathroom and small kitchen, and can be upgraded gradually, as family finances allow.



After the first three buildings had been completed, a big celebration was organized to inaugurate the project and officially hand over the apartments to the first 522 families. The Governor of Phnom Penh was on hand to cut the ribbon, along with other local government officials and community people from all over the city.





*The community decided to use a lottery system to determine who would stay in which apartment in the first three completed buildings.*



*As soon as the families had their apartments, they began moving their belongings up the stairs and into their permanent new homes.*



*By the end of March 2007, 522 families had moved into the first three completed buildings in the landmark Borei Keila land-sharing project.*



*The high 4.2-meter ceilings were a popular feature of the new apartments, which allowed families to build internal mezzanines.*



*The next stage of the project followed the same sequence, with houses being demolished and families moving into temporary housing nearby.*



*Some young Borei Keila residents looking out from their balcony at the ongoing construction of the second batch of apartment blocks.*





*In the original land-sharing agreement, the Phanimex Company was to build spaces for communal facilities like markets, day-care centers, libraries and scooter parking on the ground floor of the buildings. But later, the company backtracked and instead leased those spaces to residents for their small businesses and parking.*



*Government officials, NGOs, architects and groups of community leaders from all over Cambodia - and around the world - have visited Borei Keila, to learn from this important project.*



*The project soon took on a life of its own, with laundry hanging from balconies, children playing and shops sprouting up down below.*

*Despite its problems, the land-sharing project at Borei Keila has become an important model for housing the urban poor in Cambodia.*





After completing eight of the ten apartment blocks, the owner of the Phanimex Company declared bankruptcy and stopped the construction. The last two buildings were never completed, and nearly 350 families, who had been waiting for years for their new apartments, were left in limbo, staying in temporary shelters on the site.



After breaking the land-sharing agreement with the government and the community, the Phanimex Company violently evicted the remaining families from the site in 2012, with police overseeing the eviction.



For years after the eviction, people continued to protest and clash with the police, and the Borei Keila project became more famous as an eviction than as a housing project. The government offered the residents little support.



To pressure Phanimex for fair compensation, some of the evicted families attempted to occupy a commercial building on the site in 2014.



Some families eventually agreed to move to municipal resettlement sites 30-40 kms away, where they were given small plots of free land.