



KINGDOM OF CAMBODIA
Nation Religion King



**Permanent Mission of the Kingdom of Cambodia
to the United Nations Office and other
International Organizations at Geneva**

No: 2023/05/245

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, with reference to the letter dated 7 March 2023 of Mr. Balakrishnan Rajagopal, Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, has the honour to attach herewith input from the Ministry of Land Management, Urban Planning and Construction of the Kingdom of Cambodia to the questionnaire on housing affordability.

The Permanent Mission of the Kingdom of Cambodia would be grateful if the Office of the High Commissioner for Human Rights could convey the said information to its highest destination.

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 18 May 2023

Office of the High Commissioner
for Human Rights

Geneva



A place to live in dignity for all: Making housing affordable

**Report of the Special Rapporteur on the right to adequate housing to the
78th session of the UN General Assembly**

Questionnaire

For States: please share this questionnaire as well with your National Statistical Office and relevant Ministries to assist completing statistical sections relating to housing affordability.

Name of submitting entity, organization or individual: **_Ministry of Land Management, Urban Planning and Construction**

Contact e-mail: benghongkhemro@gmail.com (contact e-mail will be deleted before the response is published)

National law, policies and jurisprudence relating to affordable housing

1. Does your country's national law, including constitutional, housing or social protection law, refer to affordability of housing or provide any other guarantees to ensure a minimum standard of living? Or in its absence, are there national policies that refer to affordable housing or minimum standard of living? Please provide references and links to the respective key laws or constitutional provisions as well as policies.

The kingdom of Cambodia's has adopted the policies and legal documents to promote the livelihood of the people by means of all efforts and making sure that all peoples access to affordable, secure and adequate housing such as:

- Constitution
 - National housing policy
 - Policy on Incentives and Establishment of National Program for Development of Affordable Housing
 - sub-degree No.19 on Social Land Concessions
 - Circular No.03 of the Royal Government on the settlement of temporary constructions on state land.
2. Please explain if there is any official definition or criteria to assess whether a household faces housing costs above the level of affordability in your country.

According to the policy on incentives and the national program for the development of affordable housing, the target customers of the affordable housing project in Cambodia are the low and middle income families.

3. Please share any important court decisions in your country that relate to the issue of affordable housing or enjoyment of a minimum standard of living, including important judgements on State policies or measures aimed at ensuring housing affordability. Please provide if possible a short summary of the decision and a link to its text.
(e.g. judgements by international, constitutional, supreme or high courts, to rent control measures or rent freezes, to access to housing subsidies, public or social housing, non-discrimination and equal access to affordable housing etc.)

N.A

Data and trends on housing affordability

4. Is housing affordability regularly measured in your country, region or city, by the national statistical office or other entities? Please explain how housing affordability is measured and tracked. Where is the data published?

N.A

5. Has housing affordability increased or decreased in your country over the past 10 years? In which regions or cities has housing affordability changed and for whom?

Affordable housing is increasing, especially in large and medium cities as the emerging economic development. Cambodia's housing market enjoyed unprecedented price rises from 2004 to 2007, with property prices rising by about 25% to 40% annually. Land price increases were at first confined to Phnom Penh, Siem Reap and Sihanoukville, but the boom spread right across Cambodia. However, house prices were down 8.8% during 2020. The housing market has softened amidst oversupply and the effect of the Covid-19 pandemic. For official approved affordable housings, there are 4 projects in Cambodia: The WorldBridge Home, The B&BM Development, Borei Grand Park, and the Arakawa. There are studies and pilot project are conducting for the affordable housing by using the Public-Private Partnership Model.

6. Please describe which households, persons or groups are at particular risk of being exposed to housing affordability in your country, region or city.

(Please provide data on housing affordability disaggregated on the basis of household size, form of tenure (living in self-owned housing, rental, other), type and quality of housing (e.g. living in formal or informal housing); location (region, urban, rural), type of household (with or without children, single parent households), income, employment status, gender, disability, age, nationality, ethnicity, religious affiliation or immigration status.)

Families facing the problem of buying a home in Cambodia are vulnerable families - middle-income and low-income families. Therefore, the Royal Government of Cambodia together with development partners and non-government organisations are

facilitating and implementing the affordable housing initiatives and social land concession program for vulnerable low- and middle-income families.

7. May certain specific groups or persons, such as persons experiencing homelessness, living in informal settlements, students, asylum seekers or refugees, potentially be left out in data collection in relation to housing affordability?

N.A

Causes and Consequences of housing unaffordability

8. What are main reasons why housing is unaffordable to certain persons or groups in your country? Please provide if possible as well links to (scientific) studies that have analysed such reasons.

According to the socio-economic survey of 2019-2020 conducted by the National Institute of Statistics, the average annual income of a Cambodian household is \$6,612, or \$551 per month. Apartments, the least expensive housing option, have an average price of \$75,000. Using the research group's method, Cambodia has an average price-to-income ratio of 11.3 for its most affordable housing option.

9. What percentage of land is owned or otherwise controlled by the State or other public entities, as contrasted with private entities (both for profit and not for profit)? Please explain if there are any policies or laws which seeks to control the price of land, prevent land speculation including its supply and finance?

N.A

10. How many households have, during the last ten years been evicted because of their non-payment of housing costs? Please provide, if possible, more information on the socio-economic profile of the concerned households.

The Royal Government of Cambodia does not encourage any force eviction but the house payment is made based on the individual agreement or the company will enforce the Law. Therefore, the Ministry of Land Management, Urban Planning and Construction does not have any information or data related to the force eviction related to housing payment.

11. How many individuals, households or groups have, during the last ten years, been rendered homeless because of inability to afford housing? Please provide a breakdown of the socio-economic characteristics of such individuals.

The Royal Government of Cambodia has been putting a lot of effort with developing partners and non-governmental organisations to develop supporting programs for housing

by initiating affordable housing program and the social land concession for vulnerable low- and middle-income families. For those without accessibility to housing and land for supporting their livelihood, the Royal Government of Cambodia will provide housing solutions through the social land concession program. As of the end of 2022, all the SLC programs (SLC for former members of the armed forces and families, SLC for general poor civilians, development along the border, and the Land Allocation for Social and Economic Development Project II (LASED II)) provided 1,356,396.19 hectares of land to a total of 487,157 families and built 7,841 houses for people. As of now, land recipients have settled in 7,135 houses (or 91%).

12. Please describe how housing unaffordability impacts the capacity of individuals and families to enjoy their other human rights including rights to work, health, education, and access to personal security in all its dimensions.

Having seen foundation of human rights, and the rights to housing accessibility, The Royal Government of Cambodia has put a strenuous effort to alleviate the housing unaffordability issues through adopting different policies such as the national housing policy, Policy on Policy on Incentives and Establishment of National Program for Development of Affordable Housing, Circular No.03 of the Royal Government on the settlement of temporary constructions on state land that was illegally occupied in the capital, cities and towns, and the sub-degree No.19 on Social Land Concessions. These policies could be used as a legal mechanism in providing resolution to that matter as well as planning in expanding the affordable housing projects. And for those without housing and land to support their livelihood, the RGC has allocated houses and lands for them, as of the end of 2022, all the SLC programs (SLC for former members of the armed forces and families, SLC for general poor civilians, development along the border, and the Land Allocation for Social and Economic Development Project II (LASED II)) provided 1,356,396.19 hectares of land to a total of 487,157 families and built 7,841 houses for people. As of now, land recipients have settled in 7,135 houses (or 91%).

Laws, policies, programmes and practices aiming to ensure that housing is affordable to all without discrimination

13. Please share an overview of the laws, policies, programmes and practices adopted in your country/region/city to ensure that housing is affordable for all without any discrimination, Please, provide links to relevant official texts.
(e.g. affordable housing, social and energy cost subsidies, preferential mortgage, building support schemes, provision of social and public housing, of serviced land for self-construction, rent containment and rent control measures, taxation, measures to reduce housing vacancy, multi-stakeholder initiatives by State, local Governments, construction industry, housing providers, tenant unions etc).

Policy on Incentives and Establishment of National Program for Development of Affordable Housing, its aim is to provide affordable housing to contribute to improving the welfare and dignity of the Cambodian citizen, particularly low- and middle-income families in the context of stable and decent economic growth. In practice, the developer

received the **Incentive Package from Ministry of Economy and Finance of the Royal Government of Cambodia** for the affordable housing projects:

- VAT exemption for: Import of goods, materials, equipment, machinery for the project and
- VAT exemption for: Supplies, purchases for the project and the contractors or project suppliers
- Annual income tax exemption
- Profit tax exemption
- Withholding tax exemption
- Additional tax exemption on annual dividend distribution
- Exemption of project investment deposit
- Annual property tax exemption during construction
- The company has to sell the project houses, by including stamp duty and value-added tax from the buyers, and incomes from this will be allocated by the state to support back the buyers.
- MEF will support in developing infrastructure including drinking water, electricity and sewage system

Affordable housing development projects have provided affordable housing to low- and medium-income households. So far, there has been no case of people's forfeiture of right to or forced eviction from their affordable housing. During the lockdown caused by the Covid-19 pandemic, the General Department of Housing worked closely with affordable housing developers to mitigate economic impacts by allowing late payment of instalments. The RGC provides livelihood development support for poor and vulnerable people, particularly factory workers. Below are the approved affordable housing project in Cambodia:

AF Project	Total Land Size	AF Units	Price
WorldBridge Home	448,155 sqm	2457	25000 - 38888 USD
B&BM Development	730,465 sqm	786 (Phase 1)	25000 – 35000 USD
Borei Grand Park	51,629 sqm	200	23100 – 298000 USD
Arakawa	13,680 sqm	1520	28500 – 31800 USD

More affordable housing projects are in the phase of study and piloting through the Public-Private Partnership model. Such project development not only translates into best “value for money” for the Government but also insulates the project from any adversities with regard to award of contracts to private sector partners. Such interventions would not only enable the government of Cambodia to achieve its development targets but also signal to the market about its commitment to affordable housing development in the country.

For the **Social Land Concession program**, is implemented in accordance with Sub-Decree No. 19, dated 2003 and Proclamation No. 200 Don S / PR in 2003. Social land concession programs are divided into two types: local and national social land concession programs. The concessionaire must meet the conditions of the social land concession for 5 years to obtain legal land ownership. Overall, as of the end of 2022, all the SLC programs (SLC for former members of the armed forces and families, SLC for general poor civilians, development along the border, and the Land Allocation for Social and

Economic Development Project II (LASED II)) provided 1,356,396.19 hectares of land to a total of 487,157 families and built 7,841 houses for people. As of now, land recipients have settled in 7,135 houses (or 91%). LASED III has been implementing SLC, Indigenous Communal Land Titling (ICLT), and Commune Land Use Plannign (CLUP) in order to improve the living conditions and ensure the land tenure security of both indigenous and non-indigenous peoples.

14. Please share an assessment of the success, limitations or potential failures of the above mentioned laws and policies in your country/region/city, including any studies or independent evaluation reports related to them. Who has benefited from them, who has not? What has worked well, what - less? What lessons can be learned? What could potentially be replicable in other countries/regions/cities?

Considering the implementation of Cambodia national housing policy, Policy on Incentives and Establishment of National Program for Development of Affordable Housing, Circular No.03 of the Royal Government on the settlement of temporary constructions on state land that was illegally occupied in the capital, cities and towns, and the sub-degree No.19 on Social Land Concessions, the General Department of Housing, of the Ministry of Land Management, Urban Planning and Construction is enabling the development of affordable housing for middle-income and low-income families, which is considered a positive step towards housing affordability. The General Department of Housing has cooperated with private sectors to build affordable housing that has helped middle- and low-income people to afford comfortable and legally owned homes, even if state projects are not yet operational. The General Department is seeking technical and financial assistance from development partners as well as private sectors and philanthropists to set up state-owned affordable housing development projects.

Furthermore, the Royal Government has allocated social land concessions to the landless so that they can grow crops and have home ownership in order to have a stable livelihood which eventually led to reducing poverty. In addition, the Royal Government has given priority to retired veterans and border guards to participate in social land concessions in return for their dedication to the motherland and as a national defense force. Along the border, former battle zone has now become a zone of development and cooperation. Having said that, social land concession programs face a lack of funding to support physical infrastructure and basic public services. Most social land concession sites are new residential locations far from the old ones, so it costs a lot of money to connect roads and build basic infrastructure, as well as to retain the resources of officials who have to provide public services there. Some concessionaires have limited knowledge of health care, sanitation and agriculture.

Submission instructions

Deadline: 30 April 2023

Email: Please return this questionnaire to: hrc-sr-housing@un.org; ohchr-registry@un.org

Email subject line: Input for SR housing - report on housing affordability

Accepted File formats: Word (supporting documents may be submitted in PDF)

Accepted languages: English, French and Spanish

Please include references to reports, academic articles, policy documents, text of legislation and judgements, statistical information with hyperlinks or attach them to your submission (please respect total file size limit of 20 MB per email to ensure that it can be received)

Publication: Submissions of States and public authorities will be published. For other stakeholders, submissions will be published, except confidentiality is explicitly requested.

Expected presentation of the report of the Special Rapporteur to the General Assembly: October 2023.
