

HUMAN RIGHTS DEFENDER TIM SAKMONY



FREE
THE
15
STOP THE VIOLENCE

Imprisoned for Demanding Housing Rights

At a Glance

AGE: 64
COMMUNITY: BOREI KEILA
DATE OF ARREST: SEPT. 5, 2012
TRIAL DATE: DEC. 26, 2012
PRISON: CORRECTIONAL CENTER 2 (PREY SAR)
DESIGNATED PRISONER OF CONSCIENCE BY AMNESTY INTERNATIONAL



In early September 2012, 64-year-old Tim Sakmony was called to see tycoon Suy Sophan. Suy Sophan is the owner of Phanimex, the company responsible for forcibly evicting Tim Sakmony's family from their home in Borei Keila and destroying all their belongings.

Suy Sophan had an offer for Tim Sakmony's son: \$1,000 in compensation and a small house at Toul Sambo relocation site, 25 km from Phnom Penh. He refused the offer. A few days later Tim Sakmony was arrested.

Tim Sakmony is a prominent representative of the Borei Keila community in their ongoing land dispute with Phanimex. Her family is one of those who were forced – often with little if any compensation – out of Borei Keila after Phanimex breached its agreement to build 10 on-site apartment buildings for current residents, building only eight instead.

After they were evicted from their home in January 2012, Tim Sakmony, together with her son Ourn Kong Pineat, and his 12-year-old twins, lived with their few remaining belongings on a double bunk bed at the bottom of a stairwell in Borei Keila. She would sleep on the lower bunk with the twins, whilst her son slept on the top bunk.

Tim Sakmony was arrested on September 5. Authorities claim that she made a "false declaration" in an attempt to secure an apartment for her son. The complaint against her was filed by Suy Sophan.

Tim Sakmony is currently held in pre-trial detention at Prey Sar (Correctional Center 2 or CC2) prison in Phnom Penh. She will be tried at the Phnom



Tim Sakmony in early 2012.

Penh Municipal Court at 2 p.m. on December 26, 2012. If convicted, she faces up to two years imprisonment and a fine from 1 million to 4 million Riels (US \$250-1000).

It is no coincidence that Tim Sakmony was arrested the day after another prominent land rights activist, Yorm Bopha from the Boeung Kak community, suffered the same fate. Both women had clearly become thorns in the sides of the authorities and those whose interests they seek to protect – wealthy businessmen and women with close connections to the ruling party. It is equally clear that the women have become the victims of a broader strategy to intimidate and silence the growing network of land rights activists in Cambodia.

(Continued)

"If you don't accept the compensation we will arrest one woman from your community, to scare the others."

- Unnamed company representative

It is also no coincidence that since her detention, employees of Phanimex have used Tim Sakmony's imprisonment to threaten other members of the Borei Keila community with arrest.

Both Yorm Bopha and Tim Sakmony have been held in unjustified pre-trial detention since September – a measure which should only be used in “exceptional” circumstances, such as to stop another offence occurring, to prevent harassment of witnesses or victims, or to protect public order. These circumstances are clearly not applicable in their cases.

While his mother languishes in jail, 45-year-old Ourn Kong Pineat is struggling to make ends meet and care for his children. A soldier since the age of 15, he suffers from partial paralysis from a shrapnel wound to the head sustained when he was 18. Despite his injuries he continued to serve in the army as an administrator until he retired due to his disability aged 36. He has been unable to find work since. He has tuberculosis and requires daily medication.

Upon leaving the army, he received a small retirement package which he used to purchase a 5-by-7 square meter plot of land to build a house in Borei Keila, near where his mother had recently moved. His twins, a boy and a girl, were born in November 2000 – their mother died seven days after their birth.

Tim Sakmony was evicted from her own home in Borei Keila in 2007 and given a replacement apartment which she later sold in order to support her son and grandchildren financially. She lived with her son

and grandchildren until the January 2012 eviction. A widow herself – her husband died during the Khmer Rouge regime – she was the main caregiver and wage earner for the family.

Since her arrest, the family has relied on support from the Borei Keila community and NGOs. The twins also supplement the family income by collecting empty cans and bottles from the streets to sell. They wake at 5 a.m. in order to earn some money before going to school. Despite all the family problems, both children have received good school reports.

Tim Sakmony is held in a cell with 62 other women, including Yorm Bopha. She suffers from heart problems and has lost a lot of weight since her imprisonment.

At CC2, women are generally held in appalling conditions, in dirty, overcrowded cells with little or no access to medical care. Prisoners have to pay for basic commodities, such as clean drinking water and a place to sleep. Cells are extremely hot and there is limited natural light and ventilation. Pre-trial detainees are held in the same cells as those already convicted and sentenced.

Like Yorm Bopha, Tim Sakmony is in prison solely because of her land activism. Amnesty International has declared both women to be prisoners of conscience who should be released immediately and unconditionally. Cambodian authorities must heed this call without delay.



Tim Sakmony speaks to a gathering about land rights and women's rights in March 2012.