

# HUMAN RIGHTS DEFENDER YORM BOPHA



**FREE**  
THE  
**15**  
STOP THE VIOLENCE

## Another Mother from Boeung Kak Imprisoned

### At a Glance

AGE: 29

COMMUNITY: BOEUNG KAK LAKE

DATE OF ARREST: SEPT. 4, 2012

TRIAL DATE: DEC. 26, 2012

PRISON: CORRECTIONAL CENTER 2 (PREY SAR)

DESIGNATED PRISONER OF CONSCIENCE BY AMNESTY INTERNATIONAL



Yorm Bopha has lost count of the number of times she has been threatened by authorities because of her involvement with the Boeung Kak Lake (BKL) campaign.

As a representative of the BKL community, 29-year-old mother Yorm Bopha is an outspoken land rights activist, and a central figure in her community's long-running campaign against forced eviction. She cannot remember how many times she has been beaten during protests but she clearly remembers being shocked twice by electric stun batons whilst protesting peacefully.

After 13 members of the BKL community were violently and arbitrarily arrested in May 2012, Yorm Bopha was at the forefront of the campaign for their release. She maintained a high profile presence at every demonstration, became a media spokesperson for the campaign, and did not shy away from publicly criticizing government officials. This new-found prominence brought with it the attention of the authorities – she was verbally threatened, harassed and intimidated.

At the height of the campaign to free the imprisoned BKL representatives, police were seen singling out Yorm Bopha during protests. After one peaceful protest NGO monitors provided her with safe escort home after police were ordered to “arrest the one with the blue krama on her head” [Yorm Bopha].

Yorm Bopha is married with an 8-year-old son, Lous Lychour. Her husband is a construction worker and her mother, divorced from her father in 1999, is a farmer in Kampong Chhnang province. In order to support the family financially Yorm Bopha worked in the BKL community's handicraft workshop.



Yorm Bopha demonstrating during the Court of Appeal hearing for the Boeung Kak 13 on June 27, 2012.

Yorm Bopha is currently held in pre-trial detention at Prey Sar (Correctional Center 2, or CC2) prison in Phnom Penh.

Unlike the cases of the 13 BKL representatives, the charges against her are not directly linked to her presence at protests and demonstrations. Instead she is held in connection with the beating of a suspected thief under article 218 of the Penal Code, but there is no doubt that the case against her is politically motivated.

Human rights monitors believe that Yorm Bopha has indeed have been blacklisted, that she is now facing the “trouble” long threatened by police. She will be tried on December 26, 2012, at the Phnom Penh Municipal Court at 2 p.m. If convicted she faces up to five years in prison and a fine of 4 to 10 million riel (US \$1,000 to US \$2,500).

*(Continued)*

**“You are on the blacklist now ... You will be in trouble soon.”**

*- Police officer's words to Yorm Bopha*

Yorm Bopha has been targeted because of her activism. She is not the first, and she will certainly not be the last.

Cambodian authorities have a long history of silencing critics and perceived troublemakers on trumped up charges, eased on by the dysfunctional, partisan court system. Those most at risk today are land rights activists - those who protect victimized communities against the interests of well-connected, powerful business tycoons.

With this background it is impossible to discount the blatant threats made against Yorm Bopha prior to her arrest. Her fellow Boeung Kak Lake representatives are convinced that her arrest is yet another attempt in an ongoing campaign to intimidate the broader community. The fact that a second prominent land rights activist, Tim Sakmony from the Borei Keila community, was arrested the very next day did nothing to allay their suspicions. The fact that both women are held in unjustified pre-trial detention – a measure which should only be used in “exceptional” circumstances – has only served to heighten speculation that the charges are merely a means to subvert their ongoing campaigns.

Since her arrest more than three months ago, Yorm Bopha’s husband has struggled to make ends meet. As the sole caregiver for their son, and in poor health himself, he has been forced to stop working and has spent the last of the family’s savings. The family survives financially by renting out a room in their house

for \$70 a month. Others in the BKL community provide support and help with childcare where possible. Yorm Bopha’s mother visits from Kampong Chhnang province whenever she can, despite her own health problems.

Before her imprisonment, Yorm Bopha would spend two hours every evening helping 8-year-old Lous Ly-hour with his studies. Now he tells his mother that he finds it difficult to concentrate at school and his grades have fallen as a result. He is able to visit his mother in prison once or twice a week but the family struggles to meet the costs of the prison visits – they typically spend 10,000 riel on transport and 20,000 riel on bribes for the prison guards.

Yorm Bopha is held in a cell with 62 other women, including Tim Sakhmony. 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.

Yorm Bopha maintains her innocence and still hopes that justice will be served. But justice can only be served if she is tried in front of an independent and impartial tribunal and if she is given a fair hearing under the presumption of innocence. Unfortunately the failing justice system in Cambodia is unlikely to afford her any of these protections. ■



Bopha speaks to reporters in 2012 after a demonstration staged by Boeung Kak residents in Phnom Penh.