

House 444, Street 251
Kampong Samnanh
Takhmau
Kandal Province

8 September 2014

To: Kandal Cadastral Commission
Subject: Formal letter to seek correction to our property boundaries, Plot 390, Chart 08110604,
Land area reduced for proposed 5 metre road.

Dear Sirs/Madams

We wish to request reconsideration of the plan announced and displayed at Kampong Samnanh Sangkhat Hall on 2 September, that includes reducing the size of our land and creating a new 5 metre wide road instead of the 3 metre one. Our land area, according to the original land certificate is 1861 sq metres. You propose to reduce it to 1737 sq metres, suggesting a two metre length taken along the 63.4 metre boundary. This would require the demolition and rebuilding of the boundary wall, storm-water drainage system, and chicken house.

We do not understand, with respect, why a wider 5 metre road is required to benefit just one plot landowner. 3 metres should be ample, or extra width can be acquired on the other side with less disturbance and cost.

We need all of our land for poorer family members who will not be able to afford to buy land and who will look after us in old age.

If the Cadastral Commission insists on the new 5 metre road, and the extra 2 metres must come from our land, then we would expect full compensation for the value of the land, based on the prevailing market price, plus the rebuilding works for the wall, drainage system, and chicken house.

Alternatively, the Commission may wish to purchase the whole area of land and property from us, at the prevailing market price, in order to develop a larger site. We could then move somewhere else where we could live in peace.

Yours sincerely

Mam Viraden
Wife

John Lowrie
Husband

English of letter to HE Im Chhun Lim 12 September 2014

Dear Excellency

I wish to write to you to express my personal disappointment that my letter to you in 2011 (copy attached) did not solve the problem of the Kandal Cadastral Commission wanting to confiscate our land without compensation.

Now, instead of 68 square metres, they propose to take 130+ and possibly more.

Please find attached our letter in response to the plan.

I would also respectfully request that your ministry conducts a full hydrological survey of this area, which was of course, like most of Takhmau inundated by a flash flood in 2010. Since then there has been repeated land-filling of water-courses around us, for new buildings. The land next to us, that they want to develop, is one of the few remaining run-off and soak-away sites.

After 16 years in Cambodia, and raising over US\$ 10 million for poor Cambodians, as well as responsible for US\$707,472 for the good governance training by the Ministry of Interior, as I say I am very disappointed to be treated in this way.

We do have to go the UK on 23 October as my mother and aunt are very old and ill. This could be their last family gathering. I hope that no action will take place until we return on 3 January. I would be grateful if you would kindly ask officials if they cannot delay to contact our lawyer and the UK Ambassador.

Yours sincerely

John Lowrie

Explain that since June 2011 I have retired from fulltime paid work and assist NGOs on a voluntary basis, depending on my small pension from UK.

Note for Chronology

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| 30 August | Cadastral Commission Sangkhat delivered notices to neighbours about meeting on 2 Sept, but missed our house! |
| 2 Sept | Meeting at Sangkhat, "You have a month to write to point out errors" and "Now some of you lose land, but do not fight us, if you do you will end up in court, pay out a lot, and lose everything!" [Exact Quotation] |
| 11 Sept | Went to Provincial MLMUPC and Kandal Cadatsral Commission – four officials refused to accept letter, two insisting on minor changes. |

House 444, Street 251
Kampong Samnang
Takhmau
Kandal Province

26 September 2011

H.E. Im Chhun Lim
Minister
Ministry of Land Management, Urban Planning & Construction
#771-773 Monivong Bvd
Phnom Penh

Re: TAKHMAU CADASTRAL COMMISSION

Dear Minister

Please accept my highest regards to the Royal Government and yourself. It is some nine years now since you and I last co-operated in the early good governance training when you were Secretary of State at the Ministry of Interior.

I imagine that you will be sad to receive this letter, as it involves more public conflict about land title registration. However, it is a fact that the officers came to our property to measure the land, indicating it was on the Prime Minister's orders, so that a new title document would be issued. They have now refused to issue the document to my wife unless we consent to give freely a 68 x 1.5 metres strip of land to build a new road. They cannot say which ministry wants the road and for which purpose. It would enhance the value of unused adjacent land that is currently enclosed, so giving it vehicular access, by several hundred thousand US\$.

My wife, in whose name the property is registered, as with other neighbours (many of whom now have their new documents) was required to pay up to 20,000 riels to the officers, and one has asked her for \$30 to inspect the official land register.

We tried to meet the head of the Cadastral Commission but he sent his assistant, who talked to us in the presence of five other staff members. He told us that we "must give up this land freely to the Hun Sen Government" and addressing my wife "Tell your husband that as a foreigner he does not know how we do things in Cambodia!"

I am sure, your Excellency, that he is not authorized to speak on behalf of the Royal Government, or yourself. Nevertheless, we would appreciate it if you could please resolve the issue.

Yours sincerely

John Lowrie

Copies: District Governor, Takhmau, Commune Chief Kampong Samnang.
Provincial Director, Ministry of Land Management Urban Planning & Construction

House 444, Street 251
Kampong Samnanh
Takhmau, Kandal Province
26 September 2014

Open letter to:
The Prime Minister of Cambodia
The Peace Palace #41, Russian Federation Blvd, Phnom Penh

Dear Samdech Akka Moha Sena Padei Techo Hun Sen

Subject: seeking your kind assistance to clarify the Royal Government's policies on land issues and official correspondence.

Most days, Samdech, when you stay at your Takhmau residence, your helicopter comes directly over our house. I imagine that you are wise in taking this flight path as it is over some of the last undeveloped land in the area.

On 2 September, the Kandal Cadastral Commission, at a public meeting at the Kampong Samnanh Sangkhat Hall (to which we were not invited but went anyway), released local development plans that include construction of a 5 metre road to this land. The plan shows the arbitrary confiscation of at least 125 sq metres of our land without compensation. There has been no prior consultation. The presiding official said that "*Any letters of objection must be sent within one month*" with the stern warning "*Now some of you lose land, but do not fight us; if you do you will end up in court, pay out a lot, and lose everything!*"

My wife and I do not want to lose any land. We need it now. She needs it for when she is old when she will need family members to look after her. We do not see why a 5 metre road would be needed, when Takhmau has many 3 metre busier roads connecting many properties, unlike in this case that would benefit one landowner. We question why the Land Ministry would go against conventional urban planning wisdom, to eradicate open natural spaces, which is why I have asked H.E., Minister to carry out a full hydrological engineering survey. This area is currently among the few places where heavy rains can accumulate, drain and soak away. You will recall that Takhmau was heavily flooded in 2010, yet since people have been allowed to fill-in land and natural water courses, in fact reducing this last area.

Our immediate concern is that no fewer than 5 government officials at the Provincial Land Ministry office and the Kandal Cadastral Commission, have refused to accept officially our letter. I attach a further copy of it, and the letter I wrote personally to the Minister, delivering it myself to his office. Furthermore I have e-mailed the three senior contacts given on his ministry's website. So far nobody has replied.

Samdech, I thought that you were crystal clear in your recent public statement about land issues. You said that officials should work harder to solve them, not to create them. It seems to me that your message has not yet been understood in Kandal.

I trust that this letter will prove helpful in your efforts to solve the country's land issues, including of course, this one that has caused my Cambodian wife so much worry.

Yours sincerely

John Lowrie
Copies
HE Im Chhun Lim. Minister
Land Management, Urban Planning & Construction

Enclosures
Letter to Kandal Cadastral Commission
Letter to HE Im Chhun Lim