

PUBLIC

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Prisoners of conscience/human rights defenders at risk

06 January 2006

**KINGDOM OF
CAMBODIA**

**Kem Sokha (m), President, Cambodian Center for Human Rights (CCHR)
Yeng Virak (m), Director, Community Legal Education Center (CLEC)
Pa Nguon Teang (m), CCHR Acting Director/Radio Director
Rong Chhun (m), President, Cambodian Independent Teachers' Association (CITA)
Mam Sonando (m), Director, Beehive Radio**

**Chea Mony (m), President, Free Trade Union of Workers
Ea Channa (m), Deputy Secretary-General, Students' Movement for Democracy
Men Nath (m), President, Cambodian Independent Civil Servants Association
Prince Sisowath Thomico (m), Secretary to former King Sihanouk
Say Bory (m), Advisor to former King Sihanouk**

The Cambodian authorities are cracking down on critics of the government, taking legal action against them that appears to be politically motivated. The first five people named above have been arrested, and are facing trial on charges that carry sentences of up to five years' imprisonment. The authorities are seeking the second five. Other human rights defenders and perceived critics of the government are feared to be at risk of arrest, and many have gone into hiding or fled the country.

This latest crackdown on freedom of expression was sparked by criticism of a controversial border deal reached with Viet Nam by Prime Minister Hun Sen in October 2005. Hun Sen said at the time that he would sue anyone who accused him of "selling territory", and since then a government lawyer has filed charges of "defamation", "incitement to commit a crime" and "disinformation" against civil society groups, people close to the former king, and human rights defenders.

Police arrested former senator Kem Sokha, now President of the Cambodian Center for Human Rights (CCHR), at the CCHR office in Phnom Penh on 31 December 2005 at around 1.30pm, after a three-hour standoff with CCHR staff, witnessed by diplomats, staff of the Office of the High Commissioner for Human Rights (OHCHR) and others who had heard the arrest would take place. Yeng Virak, Director of the Community Legal Education Center (CLEC), was arrested at his office around two hours later. CCHR Acting Director Pa Nguon Teang was arrested in Stung Treng Province on 4 January 2006 and taken to the capital, Phnom Penh. All three have been charged with criminal defamation, punishable by one year's imprisonment. Under Cambodian law they may be held for up to six months before they go on trial.

They were arrested over a 10 December public rally for International Human Rights Day. CCHR and CLEC were on a committee representing 63 non-governmental organisations that staged the event. Thousands attended the rally, some of whom wrote personal comments on a banner. The defamation charges stem from one of these handwritten comments, which allegedly criticized the border agreement with Viet Nam. Other members of the committee are believed to be at risk of arrest.

Mam Sonando, manager of Beehive Radio (Sambok Khmum), was arrested on 11 October 2005 over an interview with a Paris-based group called Cambodia's Border Committee, which criticised the government's border policies. He was charged with criminal defamation, disinformation and incitement to commit a crime, for which he could be sentenced to several years in prison.

On 14 October, warrants were issued for the arrest of four leaders of the lobby group the Cambodian Watchdog Council, affiliated to the Sam Rainsy Party, which had signed a written statement, criticising the border agreement with Viet Nam. Rong Chhun, President of the Cambodian Independent Teachers' Association, was arrested the next day as he attempted to flee the country. He was charged with criminal

defamation and incitement, charges that could lead to several years in prison. The other three – Chea Mony, Ea Channa, Men Nath – are sheltering abroad.

BACKGROUND INFORMATION

The current coalition government under the leadership of Prime Minister Hun Sen, in power since July 2004, has been stepping up efforts to stifle peaceful dissent over the past year.

In February 2005 the government waived the parliamentary immunity of opposition leader Sam Rainsy and two other opposition lawmakers. Sam Rainsy and one other fled abroad, but Cheam Channy was arrested, and is now a prisoner of conscience, serving a seven-year sentence for allegedly "setting up an illegal armed force" and fraud, handed down by a Military Court after a trial that fell far short of international standards. On 22 December, Sam Rainsy was convicted in absentia at the Phnom Penh Municipal Court of defaming Prime Minister Hun Sen and National Assembly President Prince Norodom Ranariddh. He was sentenced to 18 months' imprisonment and remains abroad.

Cambodia is a state party to the International Covenant on Civil and Political Rights, and all the other core international human rights treaties, and has thus committed to respect and protect the rights to freedom of expression, assembly and association. These rights are also protected under the Cambodian constitution.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- urging the authorities to release immediately and unconditionally Kem Sokha, Yeng Virak, Pa Nguon Teang, Rong Chhun, Mam Sonando and Cheam Channy;
- calling on the authorities to withdraw criminal complaints against all others who have only voiced peaceful dissent;
- asking them to guarantee that all Cambodians will be able to enjoy the rights to freedom of expression, assembly and association.

APPEALS TO:

Hun Sen
Prime Minister
Office of the Prime Minister
Phnom Penh, Kingdom of Cambodia
Fax: +855 12 813 781
+855 23 360 666 (c/o Council of Ministers)
Salutation: Dear Prime Minister

Sar Kheng
Deputy Prime Minister, Co-Minister of Interior
Ministry of Interior, 275 Norodom Blvd
Phnom Penh, Kingdom of Cambodia
Fax: +855 23 21 27 08
+855 23 726 052
Salutation: Dear Deputy Prime Minister

COPIES TO: diplomatic representatives of Cambodia accredited to your country or in your region.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 February 2006.