Cambodia's Sentencing of Journalist Over COVID-19 Comment a Threat to Freedoms, Media Groups Say

By Sun Narin
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PHNOM PENH - The conviction of a journalist who reported on comments that Cambodian Prime Minister Hun Sen made publicly about COVID-19 is a threat to all reporters covering the pandemic, local media groups say.

A Phnom Penh court gave Sovann Rithy an 18-month sentence on Monday but ruled that the journalist, who has been in custody since April, be released for the remainder of the sentence.

Kuch Kimlong, a spokesperson for Phnom Penh Municipal Court, confirmed that Rithy, 31, who runs the news outlet TVFB on Facebook, was convicted of incitement and that he would be released.

"The remaining prison term has been suspended as of (Monday's) verdict," Kimlong said.

VOA Khmer could not reach Rithy or his family for comment.

The Cambodian Journalists Alliance, a nonprofit media organization, said it was
disappointed by the conviction, but welcomed the court’s decision to suspend the prison sentence.

“This is the first time a journalist has been convicted for their coverage related to the COVID-19 pandemic. This is a threat to the freedoms of Sovann Rithy, as well as other professional journalists who are reporting on COVID-19,” said Nop Vy, executive director of the group.

The Cambodian Center for Independent Media also warned the conviction could impact the way reporters work.

“This sentence can affect the right to freedom (of journalists) and a journalist's work, since they just report public speeches of the prime minister,” Ith Sothoeuth, media director at the nonprofit, said.

Between July and Sept., 15 journalists in Cambodia faced attacks, detentions or court complaints, the Cambodian Journalists Alliance said.

Ros Sokhet, publisher of the Cheat Khmer newspaper, and Sok Oudom, owner of the Rithysen Radio News Station, were arrested on similar charges to Rithy and placed in pretrial detention.

Oudom’s wife, Nuth Sovanthou, said that a court investigation into her husband’s charges has concluded, but a hearing has not been scheduled.

While no official restrictions were placed on the media during the pandemic, access to information was centralized through the Health Ministry, with provincial authorities and medical officials refusing to comment on the COVID-19 situation in their hospitals and provinces.

In April, the government voted through a state of emergency law that gives the administration sweeping powers, including prohibiting the publication of news that it determines can cause “panic and chaos.”

Domestic and international rights groups criticized the law, which they said was too broad and vague and could allow the government to act without a court order.

The extended powers have not been used against the media, but the government has jailed citizens who voiced criticism of its response to the pandemic. Some were forced to make publicly broadcast apologies and sign agreements to refrain from publishing similar information online.

**Chilling effect**

The Rithy verdict and the wider government clampdown on freedom of expression has had an effect on some local journalists.

Khan Leakhena, a reporter for the local news website Voice of Democracy, said it was worrying that journalists who reported the news truthfully were being convicted.
“If they want to arrest us, even if we publish accurate (information), they can do that because they want to retaliate or target us,” she said.

FILE - Women wearing face masks amid the coronavirus pandemic walk with their children outside a hospital with a banner warning about the dangers of the virus, in Phnom Penh, Cambodia, Sept. 29, 2020.

In April, Leakhena reported on a Health Ministry spokesperson who asked residents of a Phnom Penh neighborhood to get COVID-19 tests after the virus was diagnosed in two people in the district.

The ministry official posted a screenshot of the article on social media and said it was “fake news and spoiling society.” The spokesperson did not point to any specific inaccuracies in the story, and Leakhena stands by her reporting.

“At that time, I was concerned that I could be accused of incitement to provoke social chaos. But I have the recorded audio,” she said, referring to her interview with the spokesperson.

In Rithy’s case, the journalist was arrested on incitement charges after he reported on comments Hun Sen made during an April 7 press conference, in which the prime minister said motorcycle taxi drivers facing economic hardship should sell their vehicles to buy rice.
At the time of the arrest, local police said Hun Sen was speaking in jest and the quote should not have been taken seriously.

**Platform for journalism**

Days after Rithy’s arrest, the Ministry of Information revoked the media license of Rithy’s news outlet, TVFB, saying in a statement that the owner “published information which contains incitement, affected social security, order and safety.”

Chak Sopheap, who heads the Cambodian Center for Human Rights, said it was unclear how Rithy’s reporting on Hun Sen’s comments could provoke criminal activity, and said authorities should have relied on the usual channels of dealing with an alleged inaccurate story — requesting a correction — rather than initiating criminal proceedings.

“This would be a more appropriate and proportionate response, compatible with international human rights standards, and valuably, it would permit Rithy to continue to play his role as a part of the media,” she said.

Rithy is one of a growing number of digital journalists who use Facebook to report on everything from local crime stories to broader national issues, such as the economic impact of the COVID-19 pandemic and human rights abuses.

He started TVFB as a Facebook page that covers traffic accidents and crime stories through videos and livestreams. As the page’s popularity grew, Rithy was granted a media license, and went on to cover other issues, including rights abuses.

Digital journalists like Rithy often use a selfie stick-mounted smartphone and microphone to report from events as they unfold, such as garment worker protests, demonstrations by victims of forced evictions, or late-night car crashes.

The coverage can alternate between independent reportage and analysis to a more government-friendly spin on the day’s events.

The existence of such platforms is important in Cambodia, which has limited space for independent journalism and scores 144 out of 180 countries on the World Press Freedom Index, compiled by Reporters Without Borders, where the No. 1 country is most free.