Joint Media Statement
For Immediate Release
Phnom Penh, June 11, 2009

Freedom of Expression in Cambodia is deteriorating

We, the undersigned organizations, are strongly concerned about the perilous state of freedom of expression in Cambodia. Since the end of April 2009, Cambodian government officials have filed complaints of defamation, disinformation or incitement against several Sam Rainsy Party (SRP) lawmakers as well as a lawyer, a journalist and an NGO president. In addition, Phnom Penh authorities have taken harsh action to suppress freedom of expression by residents of Boeung Kak lake. Such events have serious negative impacts on the freedom of expression in Cambodia.

On June 08, 2009, the Phnom Penh Municipality reportedly sent armed forces to close the Lazy Fish guesthouse in the Boeung Kak area after its owner agreed to rent the premises to the Cambodian Center for Human Rights (CCHR) for a public forum on ‘Human Rights and Development’ on June 12, 2009. The intimidation culminating in the temporary closure of this guesthouse caused CCHR to decide to suspend its forum.

On Thursday June 4, 2009, Soung Sophorn, a law student, SRP activist and a resident of Boeung Kak, was arrested after he had painted ‘Absolutely fighting against communist policy,’ and ‘People Suffer due to Cheap Government and Company’ on the walls of home. Detained in police custody for two days, he was then taken to Phnom Penh Municipal Court on Saturday. Despite this being a non-working day for the court, he was hurriedly placed on trial, convicted of defamation and sentenced to pay 5 million riels compensation to the government.

These actions of the Phnom Penh Municipality, police and court in the above two cases were clearly unjustified and aimed at suppressing the freedom of Boeung Kak residents to discuss and express opinions about the pending loss of their homes due to the government giving a private company a 99-year lease to the lake area.

In addition, recent months have seen a total of four defamation, disinformation or incitement complaints filed against three SRP lawmakers, Mu Sochua, Ho Vann and Sam Rainsy, by the government or individual high-ranking officials. Similar complaints were also filed against Mu Sochua’s lawyer, Kong Sam Onn, and Khmer Machas Srok newspaper director Hang Chakra.

Several other lawsuits have also been filed. A disinformation suit was lodged by a government lawyer against Mr. Moeung Sonn, the president of Khmer Civilisation Foundation, for comments he made about lights being installed at Angkor Wat. Mr. Moeung Sonn subsequently fled to France; his departure is understandable in the context of past cases of disinformation in which a non-independent judiciary decided the fate of defendants. It is also worth noting that Mr. Moeung Sonn himself had sued Mr. Soy Sopheap, the commentator of Cambodian Television Network (CTN), for defamation and disinformation as well.
The pattern of complaints of defamation, disinformation and incitement filed by high-ranking officials, and the intimidation of residents at Boeung Kak lake, poses a serious threat to the right to freedom of expression in Cambodia. In particular, Article 62 (Disinformation) and Article 63 (Defamation and Libel) of the UNTAC criminal code continue to be used to silence the voices of Cambodian people and to prevent public participation.

Given this concern and threat to human rights and freedom of expression in Cambodia, we urge the Cambodian government to:

- Reconsider its lawsuits over defamation and disinformation, in the interests of ensuring that all Cambodian people have the opportunity to express their points of view and to freely participate in debate about government policies and practices.
- Respect the principles of freedom of expression as stated in the Universal Declaration on Human Rights and other international covenants, to which Cambodia is a party, and also in the Cambodian constitutional law.
- Encourage high-ranking and elected officials to build stronger democratic institutions which guarantee a greater separation of powers between the executive, legislative and judicial branches.
- Protect the constitutional rights of the Cambodian people and ensure the independence of the judiciary so that it respects the rights of all parties involved in litigation cases.

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