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Cambodian Center for Human Rights

CCHR Media Comment – Phnom Penh, 16 November 2011

CCHR condemns criminal complaint against CCHR staff member and other activists campaigning to save Prey Lang Forest

The Cambodian Center for Human Rights (CCHR) condemns the latest attempt by the authorities in Kampong Thom Province to prevent community members and civil society from advocating for the protection of Prey Lang forest. It was reported in today's *Phnom Penh Post* ("Prey Lang protest puts foursome in firing line") that Sandan district police chief Oung Moly has filed a complaint against two Prey Lang community members, Sim Sean and Roeun Sopheap, and two NGO workers, Chut Wutty of the Natural Resource Protection Group (NRPG) and Chhim Savuth of CCHR, alleging a crime of destruction of property against the community members and a crime of incitement against the NGO workers respectively.

In a speech earlier this year, Prime Minister Hun Sen called for the protection of forests as a means to combat climate change and stated that existing forest should not be cut down to make way for rubber plantations. Prey Lang Forest is the largest primary forest in the Indochinese peninsula and is the source of livelihood for over 200,000 people, including a large portion of the country's indigenous population. Despite its rich biodiversity and value to local people, Prey Lang forest lacks state protection with the local community claiming the government is crowding them out through the rampant awarding of concessions. At least 27 exploration licences and related concessions are known to have been awarded to mining companies in the area and four plantations, mostly for rubber, covering an area of 40,000 hectares across the greater Prey Lang area have been established.

The complaint represents the latest attempt by the authorities in Kampong Thom Province to frustrate the Prey Lang community's efforts to advocate against the ongoing destruction of the forest and an escalation in the form of intimidation against those involved in that advocacy. In recent months, the following acts of intimidation have occurred:

- On 10 August, a training on human rights and forest protection by CCHR and NRPG was disrupted by police armed with AK-47s. It was argued that the two groups did not have the requisite permission needed to gather for the training. The Law on Peaceful Demonstrations (the Demonstration Law) however expressly exempts organizers of educational dissemination activities from providing notification to authorities. The Ministry of Interior (MoI) implementation guidelines for that law interpret "educational dissemination activities" to include training events held in private and public places.
- On 6 September, it was reported in *The Cambodia Daily* that provincial authorities in Kampong Thom would seek the suspension of CCHR and NRPG as a result of perceived incitement on the

part of the two groups resulting from their efforts to educate community members affected by deforestation of their human rights and rights relating to land and natural resources.

- On 7 September, another training event held by the two groups was disrupted by police armed with AK-47s. At a meeting with provincial authorities later that day, CCHR and NRPG were informed that NGOs without offices in Kampong Thom could no longer conduct activities in that province without permission from the authorities and that no individuals from outside Kampong Thom could travel to the province to participate in events conducted by NGOs. This edict was without any legal basis and in violation of numerous human rights guaranteed in Cambodian and international law, including the rights to freedom of expression, assembly, association and movement.

The complaint by the Sandan district police chief follows the most recent effort by communities across Prey Lang to raise awareness of the destruction of the forest and the loss of the source of their livelihoods. Starting on 2 November, hundreds of community members from throughout the Prey Lang area jointly patrolled the forest looking for illegal loggers for a week. On 10 November, community members seeking to protest outside CRCK rubber company which holds a government concession of over 6,000 hectares of forest land were confronted by 500 police and military police.

On 2 November, CCHR sent a letter to the Kampong Thom provincial authorities informing them of its intention to conduct a public forum in the Freedom Park in Sandan district on 14 November. On 8 November, the provincial authorities responded stating that as the public forum was similar to a demonstration and as it could affect security and public order it would not be permitted to proceed. Public forums are distinguished from demonstrations under the MoI implementation guidelines on the Demonstration Law. While organizers of public forums are exempted from providing notification under the law, CCHR had in fact notified the authorities of the forum as a matter of courtesy so the classification of the forum as a demonstration is irrelevant insofar as notification is concerned. It is also important to note that in the nine years that CCHR has conducted public forums throughout the country, there has never been any threat to security or public order.

Responding to the reported criminal complaint made against the community members and NGO workers, CCHR President Ou Virak, commented:

“This is a concerning escalation in the intimidation attacks being employed by the authorities in Kampong Thom. Community members from all across Prey Lang are losing their livelihoods and are merely trying to raise awareness throughout the country of what is happening to the forest and the impact that is having on their lives. In trying to intimidate these four men, the authorities are seeking to silence the Prey Lang community and frustrate their attempts to save the forest. I hope and expect that principle will prevail in this case, that this complaint will be rejected, and that the authorities will actively facilitate the community’s efforts to raise their concerns and will move to protect Prey Lang forest and the livelihoods of all those living in the area.”

For more information, please contact CCHR President Ou Virak via telephone at +855 (0) 12 40 40 51 or e-mail at ouvirak@cchrcambodia.org.