JOINT STATEMENT - Phnom Penh, 7 February 2018

CSOs express dismay at Supreme Court’s decision to uphold the conviction of Tep Vanny, on the 541st day of her unjust imprisonment #FreeTepVanny

We, the undersigned civil society organizations (“CSOs”) and communities, express our dismay at the Supreme Court’s decision to uphold Tep Vanny’s conviction and prison sentence of two years and six months today – 07 February 2018 – in respect of the charge of “intentional violence with aggravating circumstances” related to her peaceful protests calling for the release of fellow Boeung Kak activist Yorm Bopha in 2013. Today marks the 541st day Tep Vanny has spent in prison for defending her community’s rights to adequate housing, and for exercising her fundamental rights to expression, association, and assembly. We call upon the relevant authorities to re-examine Tep Vanny’s various convictions, and to take the appropriate steps required to deliver her justice and secure her release.

Over the past decade, Tep Vanny has gained renown for her human rights work. Her activism helped to highlight the plight of the Boeung Kak Lake community, and contributed to achieving resolutions for certain Boeung Kak community members, after years of tireless advocacy. She has become nationally and internationally recognized as a symbol of bravery, resilience, and peaceful activism, and has lent her support to other communities struggling to defend their land rights, as well as fellow activists facing judicial harassment for their work.

Tep Vanny has been faced with a series of unsubstantiated charges and arbitrary convictions in retaliation for her activism. In respect of today’s Supreme Court ruling, Tep Vanny was first convicted on 23 February 2017 for participating in peaceful protests in support of the release of fellow Boeung Kak activist Yorm Bopha in 2013. She was charged with “intentional violence with aggravating circumstances” in proceedings widely-decried for failing to meet international fair trial standards, sentenced to two and a half years in prison, and fined 14 million riel (about US $3,500). The Court of Appeal upheld this decision on 8 August 2017, and the Supreme Court again upheld the conviction today.

On 22 August 2016, following her arrest at a protest calling for the release of five human rights defenders, Tep Vanny was convicted of “insulting a public official,” and sentenced to six days in prison. After this time had elapsed, the authorities reactivated dormant charges dating back to a protest in 2013, leading to her continued detention. In another reactivated case, Tep Vanny was sentenced to six months in prison for “insulting and obstructing public officials” while participating in a peaceful protest related to the Boeung Kak Lake dispute in 2011. This conviction was upheld by the Court of Appeal on 27 February 2017, and by the Supreme Court on 8 December 2017, despite a lack of adequate evidence.

Both the Constitution of the Kingdom of Cambodia and international human rights law guarantee the rights to freedom of expression, peaceful assembly, and association, which Tep Vanny has repeatedly been denied. The International Covenant on Civil and Political Rights, as well as the UN

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Declaration on Human Rights Defenders, affirm her right to protect and promote human rights and fundamental freedoms, and pronounce each state’s duty to permit human rights defenders to work without fear of arrest, violence, threats, retaliation, or discrimination of any kind. 

Nevertheless, Cambodian human rights defenders such as Tep Vanny are regularly restricted from conducting their work through various forms of judicial harassment, including suspended sentences and arbitrary resurrections of dormant charges. Tep Vanny’s peaceful expressions of dissent are neither a crime, nor a threat to peace and public wellbeing.

We call upon the Cambodian authorities to re-examine Tep Vanny’s wrongful convictions, to deliver her justice, and to respect their legal obligations by ceasing to harass human rights defenders through arrests, prosecution, and imprisonment.

This joint statement is endorsed by:

1. Boeung Chhouk Community
2. Boeung Kak Lake Community
3. Borei Keila Community
4. Borei Metapheap Community
5. CamASEAN Youth’s Future (CamASEAN)
6. Cambodia Development People Life Association (CDPLA)
7. Cambodian Center for Human Rights (CCHR)
8. Cambodian Defender Project (CDP)
9. Cambodian Food And Service Workers Federation (CFSWF)
10. Cambodian Human Rights and Development Association (ADHOC)
11. Cambodian Independent Teacher Association (CITA)
12. Cambodian Indigenous People Organization (CIP0)
13. Chroy Changva Community
14. Coalition for Integrity & Social Accountability (CISA)
15. Coalition of Cambodian farmer Community (CCFC)
16. Committee for Free and Fair Election in Cambodia (COMFREL)
17. Community 92
18. Gender and Development for Cambodia (GADC)
19. Independent Democracy of Informal Economy Association (IDEA)
20. Khmer Kampuchea Krom for Human Rights and Development Association (KKHRDA)
21. Krol Kor Community
22. Lor Peang Community
23. Mother Nature
24. Phnom Bat Community
25. Phum 23 Community
26. Ponlok Khmer
27. Railway Community
28. Romeashek Solidarity Farmer Community
29. Samakum Teang Tnaut (STT)
30. Sammaki Rongroeung Community
31. SILAKA

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32. SOS Community
33. Strey Klaingsang Community
34. The Alliance for Conflict Transformation (ACT)
35. Thmor Kori Community
36. Toul Sangke Community
37. Tumnub 2 Community
38. Youth Resource Development Program (YRDP)