Joint Statement

Appeal to drop all charges against all land community representatives and release three community representatives.

January 14, 2021

We, the civil society groups, unions, and communities listed below, express our deepest concerns over the arrest and detention of three land community representatives recently, as well as the indictment of more than 50 land community representatives. We would like to ask the court to drop the charges and release them.

Mr. Phon Sophal, a representative of the land community in Choam Kravien commune, was arrested by police at the entrance to the Yea Chey company in Ream commune, Prey Nob district, Preah Sihanouk province. This occurred in the morning of December 30, 2020, after he was returning from 2020 annual reflecting with the Cambodian Farmers' Association. The arrest was made under Warrant No. 03, dated December 28, 2020, on charges of conspiracy to incite to commit serious acts of social unrest through social media in Tbong Khmum Province from August 22 to October 22, 2020. The arrest warrant was issued by the investigating judge of Tbong Khmum Provincial Court. He was taken from Sihanoukville to the Tbong Khmum Provincial Prison on the afternoon of December 31, 2020, without providing information to his family in accordance with the procedures. The family later learned of the incident through prison officials who contacted them. Mr. Phon Sophal could face between six months to two years in prison under Articles 494 and 495 of the Penal Code. He has always been active in helping to protect the community land rights and peacefully advocate in accordance with national and international human rights law.

In addition, two community representatives in Sre Prang community in Tbong Khmum province were arrested. More than 30 other community members were charged with various criminal offenses due to their activism and simply trying to protect their community land. Among them, Mr. Sem Sang was arrested in October 2019, and Mr. Hoeun Sinath was arrested in August 2020. The two are facing charges related to land dispute between the community in Tbong Khmum province and a Chinese company, Harmony Win Investment.

In Koh Kong province, 13 land community representatives were charged by the Koh Kong Provincial Court with “defamation”, “inciting to commit acts that cause serious social unrest” and “public defamation”. According to the provisions of Articles 305, 311, 312, 494, and 495 of the Penal Code, they have been placed under judicial supervision due to the exercise of their fundamental rights and freedoms to protect their land.

By monitoring human rights abuses in Cambodia, we, as organizations, associations, unions, and communities, have observed persecution by the authorities and arrests of land and environmental activists. Many have been charged with inciting to commit crimes, including
inciting social unrest and other crimes. The arrest and detention of Mr. Phon Sophal, Mr. Hoeun Sinath, Mr. Sem Sang, and Mrs. Eng Van (according to the Supreme Court ruling) as outstanding land activists are direct and indirect threat to land communities across the country. These activists are always defending the rights of citizens in their own communities, these rights are guaranteed by the Constitution of the Kingdom of Cambodia as well as in international law.

We hope that the Royal Government of Cambodia will fulfill its obligation to guarantee the right to freedom of expression in accordance with the Constitution and international human rights law. We also encourage the Tbong Khmum and Koh Kong Provincial Courts to drop all charges against all land community representatives and release the three community representatives, Mr. Phon Sophal, Mr. Hoeun Sinath and Mr. Sem Sang, to reunite with their families and to be able to continue their important work without interruption.

This statement is supported by:

1 សាលាមការពារស្នាក់ហិរញ្ញវត្ថុ ប្រុសប្រយ័ត្ត (ADHOC)
2 សាលាមការពារស្នាក់ហិរញ្ញវត្ថុ (CCFC)
3 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (RCTSO)
4 សាលាអន្តរបត្តិជនស្នាក់ហិរញ្ញវត្ថុ (IDEA)
5 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (PNKS)
6 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (CHRTF)
7 សាលាបុរាណការពារស្នាក់ហិរញ្ញវត្ថុ (COMFREL)
8 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (CFSWF)
9 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (CICA)
10 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (PKH)
11 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (CCHR)
12 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (CYN)
13 សាលាបុរាណការពារស្នាក់ហិរញ្ញវត្ថុ (STT)
14 សាលាបុរាណការពារស្នាក់ហិរញ្ញវត្ថុ (EC)
15 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (LICADHO)
16 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (CID)
17 សាលាការពារស្នាក់ហិរញ្ញវត្ថុ (CHRAC)
១៥ សហគមន៍ដក់ពរសមគមន៍ (CTWUF)
១៦ សហគមន៍ដក់ពរសមគមន៍ (BWTUC)
២០ សហគមន៍ដក់ពរចការជាតិអាមេរិក (CCAWDU)
២១ សហគមន៍ដក់ពរសមគមន៍ (CATU)
២២ សហគមន៍ដក់ពរសមគមន៍ (CENTRAL)
២៣ សហគមន៍ដក់ពរសមគមន៍ (YPS)
២៤ សហគមន៍ដក់ពរសមគមន៍ (PCFS-ASIA)
២៥ សហគមន៍ដក់ពរសមគមន៍ (APC)
២៦ សហគមន៍ដក់ពរសមគមន៍ (FALD)
២៧ សហគមន៍ដក់ពរសមគមន៍ (YRDP)
២៨ សហគមន៍ដក់ពរសមគមន៍ (ASIA)
សហគមន៍កម្ពុជា ប្រការ
ទី1 ការប្រការរៀបចំប្រព័ន្ធរយៈពេលដ៏សមស្រប (PDP Center)
ទី2 សហគមន៍កម្ពុជា (TI-Cambodia)
ទី3 នំណើចនំណើច (Oxfam)
ទី4 សហគមន៍ទួលសែងករេអ (YFS-ASIA)

(ប្រការអំពីកម្មវិធីការពារសម្រាប់សុខភាពរឿងក្នុងសេដ្ឋកិច្ច II )