

Case Brief: Koet Saray

Koet Saray is a 34-year-old human rights defender from Siem Reap. In 2002, he was ordained as a monk. Whilst studying law at Preah Sihanouk Reach University, he became increasingly interested in activities related to the protection of natural resources and human rights advocacy. In 2018, he became involved with the Mother Nature movement. In early 2020, Koet Saray and a number of other activists established the group Khmer Thavrak Youth Group, to advocate for human rights and social justice. Soon after, he became the President of the Khmer Student Intelligent League Association (KSILA), which encourages youth participation in social justice issues, the sustainable use of natural resources and good governance



Case chronology

6 September 2020:

Koet Saray was arrested for the first time by police at the office of the Khmer Student Intelligence League Association (KSILA), due to his plans to participate in a peaceful assembly planned for the following day in Phnom Penh to protest the arrest of political activist and trade union leader Rong Chhun, and human rights defenders Hun Vannak and Chhoeun Daravy. He had posted about the planned demonstration on his personal Facebook page in late August. The Phnom Penh Municipal Authority had responded to the notification letter received from the planners to say that it rejected the plan, citing the fact that the organizers could not provide assurance as to the number of participants.

Later that day, Koet Saray was defrocked by police before appearing before the Phnom Penh Municipal Court. He was charged with “incitement to commit a felony or cause social unrest” (Articles 494 & 495, Criminal Code).

7 September 2020:

Koet Saray was remanded in pre-trial detention at Correctional Centre 1 (CC1) prison in Phnom Penh.

30 December 2020:

Koet Saray’s trial began before the Phnom Penh Municipal Court. He was being tried alongside a number of other human rights defenders who had also been arrested in August – September 2020 for participation in or plans to participate in demonstrations against the arrest of several human rights defenders and political activists.

16 February 2021:

The trial continued before the Phnom Penh Municipal Court. A hearing scheduled for 2 March 2021 was postponed until 8 June 2021, and then further postponed to an unspecified date, due to COVID-19.

18 May 2021:

The Phnom Penh Municipal Court denied Koet Saray’s request for bail.

26 October 2021:

Koet Saray is convicted of “incitement” and sentenced to 20 months’ imprisonment, with six months suspended.

5 November 2021:

Koet Saray is released from prison after spending a total of 14 months imprisoned. The Phnom Penh Municipal Court ordered a two-year probation period for him with restrictive conditions until November 2023.

22 August 2022:

The Phnom Penh Appeal Court upheld the Koet Saray’s conviction.

19 May 2023:

The Supreme Court upheld the verdict of the Appeal Court.

March 2024:

Koet Saray met with villagers who had been evicted as a result of a long-running land dispute in Srayong commune, Kulen district in Preah Vihear, following a 9,000-hectare land concession by the RGC to rubber company Seladamex in 2011. At the time, the villagers were sheltering in forests after fleeing their homes for fear of arrest by the authorities. Koet Saray posted photos of his meeting with the villagers on the KSILA Facebook page and gave an interview to Radio Free Asia, in which he spoke about the challenges they were facing and urged the authorities to resolve the dispute.

5 April 2024:

Koet Saray was arrested by 10 plainclothes officers at the KSILA offices. The arrest was carried out in relation to a “questioning order” issued by the Prosecutorial Department of the Phnom Penh Court of First Instance on the charge of “incitement to cause serious chaos to social security” (Articles 494 & 495, Criminal Code). The Prosecutorial Department alleged that Koet Saray had been “organizing a plan to persuade people to illegally occupy land, to violently fight against the competent authorities, and to make the people fearful of the authorities, going into hiding in the forest”. He was also accused by the Prosecutorial Department of having “transferred pictures to the media outlets abroad for dissemination, which influenced national and international audience to misunderstand the leadership with a view to opposing the Government”.

7 April 2024:

Koet Saray is remanded in pre-trial detention at Correction Center 1 (CC1) in Phnom Penh on charges of “incitement to commit a felony” and “committing a misdemeanor after sentencing for a misdemeanor” (Article 88, Criminal Code), which provides that an individual’s sentence may be doubled if they have already been convicted of the same misdemeanor in the previous five years. This was brought in relation to Koet Saray’s 2021 conviction for “incitement”.

20 June 2024:

The Phnom Penh Appeal Court denied Koet Saray’s request for bail.

7 August 2024:

The Supreme Court upholds the decision to deny Koet Saray’s bail, citing the “repeat” nature of his offence.

6 November 2024:

The Phnom Penh Municipal Court convicts Koet Saray of “incitement” and sentences him to four years’ imprisonment – the maximum two years for the charge of incitement is doubled by Article 88. The Court also ordered him to pay a fine of two million riel (approximately \$500 USD). During the trial, the interview Koet Saray gave to Radio Free Asia and the posts on KSILA’s Facebook page relating to his meeting with the villagers, were used as evidence.

3 July 2025:

The Phnom Penh Appeal Court denied Koret Saray’s request for release on bail.

13 October 2025:

The Supreme Court upheld the decision of the Appeal Court, denying bail to Koet Saray.

26 January 2026:

The Phnom Penh Court of Appeal upheld the conviction of Koet Saray. By this time, he had been imprisoned for more than 600 days.