

CONVICTED FOR REPORTING ON A LAND DISPUTE: THE CASE OF JOURNALIST PEN NUON

Mr. Pen Nuon is a journalist residing in Oddar Meanchey province and the director of the Srotob Yukvakvey website, a digital youth media outlet registered with the Ministry of Information since 25 December 2015.



Chronology of Pen Nuon's Case

<p>27 October 2019</p>	<p>Journalist Pen Nuon published an article on a land dispute between border soldiers and four families in Oddar Meanchey province. Shortly after, two soldiers filed a complaint for defamation against Pen Nuon.</p>
<p>19 November 2020</p>	<p>Pen Nuon was tried by the Oddar Meanchey Court of First Instance, which convicted him for defamation under Article 305 of the Cambodian Criminal Code and sentenced to pay a fine of four million riels (about \$1,000) and compensation of 80 million riels (about \$20,000) to the plaintiffs. Following the verdict, Pen Nuon filed an appeal with the Battambang Court of Appeal.</p>
<p>20 December 2020</p>	<p>Journalist Pen Nuon released a new article on the same land dispute. As a result, the Phnom Penh Municipal Court charged him with defamation through the media under Article 306 of the Cambodian Criminal Code and Article 10 of the Press Law after receiving another defamation complaint against Pen Nuon.</p>
<p>29 December 2021</p>	<p>Pen Nuon's trial took place at the Phnom Penh Municipal Court. However, Pen Noun was absent as neither him nor his lawyer was notified of the trial date by the Court. The Phnom Penh Court convicted Pen Nuon in absentia for defamation through the media and sentenced him to pay a fine of 3 million riels (about \$700) and compensation of 6 million riels (about \$1,500) to the plaintiff.</p>
<p>9 March 2022</p>	<p>After journalist Pen Noun filed an opposition against his default judgment, the Phnom Penh Municipal Court held a new trial in the presence of Pen Noun. On 15 March 2022, the Phnom Penh Municipal Court rendered the same judgement as the default judgment.</p>
<p>21 April 2022</p>	<p>The Battambang Court of Appeal upheld the verdict of the Oddar Meanchey Court of First Instance.</p>



Journalist Pen Noun's case is one of the many examples of the regular judicial harassment that journalists face for carrying out their reporting work and of the continuous crackdown on press freedom in Cambodia. **A free and uncensored press is essential to ensure that freedom of expression is realized and that democracy flourishes.** The press plays a vital role in informing the public as a government watchdog, guaranteeing transparency and accountability. Press freedom should therefore be valued and protected rather than undermined.