Cambodia: Hun Sen Systematically Silences Critics

Release Jailed Human Rights Defenders

January 4, 2006

[Update]: On January 17, Prime Minister Hun Sen wrote to the Phnom Penh Municipal Court to order the release on bail of Kem Sokha and Pa Nguon Teang, as well as two people imprisoned in October, radio journalist Mom Sonando, and Teacher’s Association President Rong Chhun. This followed the release on bail of Yeng Virak on January 11. Any release on bail will not affect the underlying criminal charges. Human Rights Watch calls for the charges to be dropped.

(New York) – The Cambodian government should immediately release leading human rights activists jailed on politically motivated charges of criminal defamation, Human Rights Watch said today.

Kem Sokha, president of the Cambodian Center for Human Rights (CCHR), and Yeng Virak, director of the Community Legal Education Center (CLEC), were arrested on December 31 and charged in connection with handwritten comments criticizing Prime Minister Hun Sen on a banner displayed at an International Human Rights Day celebration on December 10.

“Hun Sen appears to be following the Burmese model by imprisoning peaceful critics of his increasingly authoritarian government,” said Brad Adams, Asia director of Human Rights Watch. “The arrest of human rights activists, as well as recent show trials of opposition politicians, is a throwback to the days when Hun Sen ran a one-party state.”

Hun Sen has long sought to silence Kem Sokha, one of Cambodia’s most outspoken human rights activists. He has threatened to arrest him on numerous other occasions because of his criticism of the government. Sokha was a member of the National Assembly (1993-1998), where he chaired the Human Rights Commission, and later of the Senate (1999-2002). In 2002, Sokha founded CCHR and started a popular radio program, “Voice of Democracy,” which provides a platform for Cambodians to publicly criticize the government.

Human Rights Watch pointed out that the arrests have already had a harmful effect on the human rights community in Cambodia, which is operating in a climate of fear and uncertainty, unsure of what speech is now allowed and what is prohibited. Human Rights Watch expressed concern that further arrests may be planned.

The arrests of Sokha and Virak came after CCHR and CLEC had joined 60 other groups on December 10 to organize a human
rights rally at Phnom Penh’s Olympic Stadium, attended by thousands of people. Virak was chair of the committee that prepared the rally.

CCHR’s booth featured a banner it used in 2003 to illustrate the principle of freedom of expression. Large printed letters proclaimed: “My vote [ballot] is my life - I don’t vote for political parties that threaten and intimidate the people.” At the invitation of CCHR, dozens of ordinary people had written their own comments on the banner, using marking pens. The defamation case is based on an alleged handwritten comment on the banner that, referring to a recent border treaty concluded with Vietnam, accuses Hun Sen’s government of being a “traitor regime that sells territory to Vietnam.”

At 10:30 a.m. on December 31, approximately 50 uniformed and undercover police surrounded the CCHR office in Phnom Penh. Under the orders of Mok Chito, deputy chief of the Ministry of Interior Criminal Department, they presented a search warrant and summons to Sokha. A representative of the U.S. embassy and several local and international human rights groups, including Human Rights Watch, were present during the arrest. CCHR’s “Voice of Democracy” was shut down for several hours to prohibit it from broadcasting live coverage of the arrest.

After dozens of journalists and CCHR supporters began to flock to the center, police cordoned off the street in front and locked the gate to the compound, denying entry to U.K. and U.S. ambassadors and the director of the Cambodia office of the U.N. High Commissioner for Human Rights. After a two-hour standoff, Sokha was arrested. Shortly afterwards police surrounded CLEC’s offices, arrested Yeng Virak, and escorted him to the court. Both men were subsequently sent to CC1 (Pey Sar) prison.

The arrests violate the right to freedom of expression and are contrary to the standards set by the 1998 U.N. Declaration on Human Rights Defenders, which provides that, “Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms,” and “to participate in peaceful activities against violations of human rights and fundamental freedoms.”

“It is incredibly ironic that peaceful activists have been jailed for statements made on International Human Rights Day,” said Adams. “The recent arrests and criminal cases threaten to undo all the progress on human rights Cambodia has made since the U.N. peacekeeping mission left in 1993.”

Saturday’s arrests are the most recent in a string of at least nine criminal defamation suits recently brought by the government against its critics and political rivals. On December 22, opposition party leader Sam Rainsy was sentenced to 18 months in prison in absentia on charges of defaming Hun Sen and Prince Norodom Ranariddh, the president of the National Assembly.

In October, radio journalist Mom Sonando and Rong Chhun, president of the Cambodian Independent Teachers Association, were arrested and detained on charges of criminal defamation and incitement for questioning a controversial border treaty with Vietnam.

At least five other government critics have fled into exile to avoid arrest.

Human Rights Watch urged donors to make it clear at the next annual donor meeting, tentatively scheduled for March, that attacks on civil society and freedom of expression will have consequences. Human Rights Watch noted that expressions of concern have been made at many previous donor meetings without serious follow-up by donors.
“The message is clear: If you criticize the government, you will be thrown in jail,” said Adams. “Cambodia’s international donors should warn the government to end this crackdown on its critics. They also need to make it clear that they will not continue to subsidize almost half the budget of an increasingly repressive government.”


© Copyright 2010, Human Rights Watch