

Spokesperson for the UN High Commissioner for Human Rights: Ravina Shamdasani

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Briefing note on Cambodia

We are disappointed at the decision by Cambodia's Court of Appeal yesterday to uphold the "insurrection" convictions of 11 opposition party members and supporters, despite concerns about fair trial rights and the perception of Government interference at the time of the trial.

The men, members and supporters of the Cambodia National Rescue Party (CNRP), were originally sentenced on 21 July 2015 to between 7 and 20 years in prison in relation to violence during a demonstration at Phnom Penh's Freedom Park on 15 July 2014.

The UN Human Rights office in Cambodia monitored both the original trial and the appeal. While the appeal hearings were procedurally correct, they did not address the fair trial defects that marred the initial convictions. During the initial trial, the accused were unable to cross-examine the complainants and were not given adequate time and opportunity to present their defence. This raised doubts with regard to the guarantees of a fair trial and equality of arms. At the appeal hearing, the original complainants – members of an auxiliary security force engaged by the Government – admitted that they had merely signed on to complaints drafted by others.

The demonstration on 15 July 2014 ended in deplorable violence, with dozens injured. However, no evidence was produced during the trial or appeal to link any of the 11 accused men with the violence, or the charges of "insurrection" defined in law as "collective violence liable to endanger the institutions of the Kingdom of Cambodia or violate the integrity of the national territory". None of the injured complainants or video recordings of the incident that were presented as evidence identified any of the accused men as having undertaken, incited or guided any violent acts.

The "CNRP 11" – who have already spent nearly three years in detention – appear to have been convicted for their political opinion, and for exercising their rights to freedom of expression.

We have previously raised concerns about the Government of Cambodia using the judiciary to silence opposition parties, civil society organisations and dissenters. Similar concerns have long been raised by international mechanisms.

ENDS

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*This year, 2018, is the **70th anniversary of the Universal Declaration of Human Rights**, adopted by the UN on 10 December 1948. The Universal Declaration – translated into a world record 500 languages – is rooted in the principle that “all human beings are born free and equal in dignity and rights.” It remains relevant to everyone, every day. In honour of the 70th anniversary of this extraordinarily influential document, and to prevent its vital principles from being eroded, we are urging people everywhere to **Stand Up for Human Rights**: www.standup4humanrights.org.*