

Cambodia: UN experts call for the immediate release of five human rights defenders

GENEVA (24 January 2017) – Two United Nations human rights experts today called on the Royal Government of Cambodia for the immediate release of five human rights defenders detained in May 2016 on charges relating to assistance lent to a woman who was allegedly pressured by the AntiCorruption Unit to lie about a false allegation. The charges were seen as politically motivated, and in November 2016, the UN Working Group on Arbitrary Detention ruled their detention to be ‘arbitrary’.

“The use of criminal provisions as a pretext to suppress and prevent the legitimate exercise of the right to freedom of expression and to silence human rights defenders is incompatible with article 19 of the [International Covenant on Civil and Political Rights](#), (ICCPR), which has been signed by Cambodia,” said the UN Special Rapporteur on the situation of human rights in Cambodia, Rhona Smith.

Ms. Smith recalled that, on 11 May 2016, a group of UN human rights experts* sent a follow-up joint urgent appeal to the Cambodian Government on the cases of the ‘ADHOC 5’, which has had no response to date.

The experts requested detailed information on the legal basis for the detention of four staff of human rights NGO Cambodian Human Rights and Development Association (ADHOC) -Lim Mony, Ny Vanda, Ny Sokha and Yi Soksan-, as well as the Deputy Secretary General of the National Election Committee and former ADHOC staff member, Ny Chakrya.

In their appeal, the UN experts also urged the authorities to do its utmost to release these human rights defenders, in line with Cambodia’s obligations under international human rights law.

Following their detention, human rights advocates launched a weekly ‘Black Monday’ campaign calling for their release, which was banned by the Cambodian authorities as incitement of a ‘colour revolution’. Among them was community activist Tep Vanny, who in August was detained and charged, and then tried and convicted in September to six months’ imprisonment for ‘incitement to commit a felony.’

“As a party to the [ICCPR](#), Cambodia is obliged to respect freedom of expression and the right to a fair trial, which entails a prompt and fair trial within a reasonable period of time or release,” Ms. Smith stressed.

“With so much effort and resources invested in improving the functioning of the judiciary, which had begun to see improvements in some respects, all that is lost with these cases,” she cautioned. “They have damaged even further the standing of the Cambodian judiciary, which according to studies commands the least respect of the public among all the State institutions.”

“They have been held hostage long enough, it's time for their release,” the expert said, adding that “As long as Black Monday protests are banned, protesters arrested and convicted, and threats against them condoned, any claims that Cambodia respects human rights will be severely compromised.”

The Special Rapporteur's call was also endorsed by human rights expert Sètondji Roland Adjovi, who currently heads the UN Working Group on Arbitrary Detention, which in November 2016 called for the immediate release of the 'ADHOC 5', and recognised their right to compensation in accordance with the [ICCPR](#).

“In its [Opinion No. 45/2016 \(Cambodia\)](#), the Working Group found that the deprivation of liberty of individuals in question, being in contravention of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, is arbitrary,” Mr. Adjovi added.

The human rights experts joined the international community and several civil society organizations in calling for their immediate release. They also urged the Government to ensure the judiciary functions independently of the executive.

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Professor Rhona Smith was appointed as [Special Rapporteur on the situation of human rights in Cambodia](#) by the UN Human Rights Council in March 2015. Ms. Smith holds Professor of International Human Rights in the United Kingdom. She has also taught international human rights law as a visiting professor in China, Cambodia and Canada and spent time as a distinguished visitor in Vanuatu. Check [the reports](#) on Cambodia.

Mr. Sètondji Roland Jean-Baptiste Adjovi holds a position of Assistant Professor at Arcadia University where he teaches African affairs, international law including human rights. He was appointed by the UN Human Rights Council to the [Working Group on Arbitrary Detention](#) in May 2014 and elected its Chair-Rapporteur in 2016.

The Special Rapporteurs are part of what is known as the [Special Procedures](#) of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms. Special Procedures mandate-holders are independent human rights experts appointed by the Human Rights Council to address either specific country situations or thematic issues in all parts of the world. They are not UN staff and are independent from any government or organization. They serve in their individual capacity and do not receive a salary for their work.

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