

Cambodia: UN experts deeply disturbed by detention of boy with autism for on-line criticism

GENEVA (2 September 2021) – UN human rights experts* today called on Cambodia to release from detention a 17-year-old boy with autism spectrum disorder who has been held in pre-trial detention for more than two months, without access to his family.

The minor, whose father is a former opposition official and whose mother is a human rights defender, was arrested on 24 June and charged with incitement and insulting public officials in connection with his online activities. He could face up to two years in prison if convicted.

“Children with disabilities accused of breaking the law should be treated in line with the best interests of the child, and every effort should be made to keep them out of jail,” the experts said. “This is especially true in a case such as this of free and peaceful expression.”

“The UN Convention on the Rights of the Child, which Cambodia ratified in 1992, says the arrest and detention of a child should be used only as a last resort and for the shortest period of time. It also protects the rights of children to freedom of expression and participation. We urge Cambodia authorities to drop the charges and release him immediately.”

The minor, who cannot be publicly identified because of his age, was arrested without a warrant, and his family was not able to see him while he was held in police custody or since his arrest. He has previously been denied bail. The Special Procedures of the Human Rights Council have raised his case with the authorities in a joint communication but also in bilateral meetings with state officials.

“This case is particularly disturbing because the UN Convention on the Rights of Persons with Disabilities – to which Cambodia is also party – requires authorities to consider the best interests of children with disabilities and provide appropriate assistance,” the experts said.

“We are extremely concerned that the child was interrogated without a lawyer or his guardian, which violates the Cambodian Law of Juvenile Justice and international human rights standards.”

The minor's father, a former member of the dissolved Cambodian National Rescue Party (CNRP), has been in prison since June 2020. His mother, an active member of human rights defenders known as Friday Women of Cambodia, was beaten by security forces during peaceful gatherings demanding the release of detained CNRP members. In June, district security officers forcefully confiscated their banners during a demonstration in front of OHCHR's Cambodia office.

The boy has been arrested before – but not charged – and has been attacked by unknown assailants. After his arrest in October last year in front of the old CNRP headquarters, police reportedly punched and slapped him during interrogation. He was released without charge after two days. In April this year, he was admitted to hospital with a fractured skull after two men on a motorbike hit him with a brick.

In 2011, the UN Committee on the Rights of the Child called on the Cambodian Government to promote “alternative measures to detention” for children.

“We strongly appeal to the Cambodian government to release this child and to ensure that his human rights are protected in line with the principle of the best interests of the child in compliance with the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and Cambodian law,” the experts said.

ENDS

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