

Cambodia: UN expert condemns conviction of three environmental rights defenders, urges their release

GENEVA (7 May 2021) – A UN expert today condemned a decision by a Cambodian court to sentence three environmental human rights defenders to jail terms of up to 20 months and urged the Government to release them immediately and unconditionally.

The convicted human rights defenders - Mr. Thun Ratha, Ms. Long Kunthea and Ms. Phuon Keoraksmeay – are members of Mother Nature Cambodia (MNC), a non-governmental organization that advocates for the protection and preservation of Cambodia’s natural environment and supports local communities in defending those rights.

The three, who were sentenced by the Phnom Penh Municipal court on charges of incitement to create social chaos, had been in pre-trial detention for eight months before the conviction.

“The decision of the Cambodian court sentencing the three human rights defenders to prison terms is disgraceful and only reinforces the Government’s enduring policy to diminish civic space and dissenting voices,” said Mary Lawlor, the Special Rapporteur on the situation of human rights defenders.

“The verdict also shows how unable and unwilling the court is to uphold human rights and fundamental freedoms that the government has voluntarily accepted. I am concerned about the pattern of increasing prosecution of human rights defenders in Cambodia since July 2020,” Lawlor said. “The trial and conviction against the MNC human rights defenders clearly demonstrates a sustained intolerance and efforts to undermine the space for human rights defenders.”

“This decision is extremely worrying as States have the obligation to provide a safe and enabling environment in which environmental human rights defenders can operate free from threats, harassment, intimidation, criminalisation and violence”, emphasized the Special Rapporteur on human rights and the environment, Dr. David Boyd.

The three were arrested in September 2020 without warrants and were charged under articles 494 and 495 of Cambodia’s Penal Code. The charges carried a custodial sentence of between six months to two years and a fine of one to four million riels (approximately USD 250 to USD 1,000).

Lawlor expressed serious concerns about the lack of factual evidence underpinning the charges. The human rights defenders were convicted based on a number of Facebook posts on environmental matters and video clips which showed them raising human rights and environmental awareness in a factual and peaceful manner. No substantial evidence was cited that would prove how their actions had in fact or could potentially lead to “social chaos.”

“While the three human rights defenders may still file an appeal, I urge the Cambodian Government to immediately and unconditionally release them. No one should be criminalised for undertaking legitimate human rights work,” the expert said. “As highlighted in my last statement in November, I call on the United Nations system in Cambodia to support all human rights defenders who are exposed to risk.”

The expert’s call has been endorsed by; **Mr. David Boyd**, [Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment](#); and **Mr. Clément Nyaletsossi Voule**, [Special Rapporteur on the rights to peaceful assembly and of association](#).

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Ms Mary Lawlor, (Ireland) is the [Special Rapporteur on the situation of human rights defenders](#). She is currently an Adjunct Professor of Business and Human Rights in Trinity College Dublin. She was the founder of Front Line Defenders - the International Foundation for the Protection of Human Rights Defenders. As Executive Director from 2001-2016, she represented Front Line Defenders and had a key role in its development. Ms. Lawlor was the Director of the Irish Section of Amnesty International from 1988 to 2000, became a Board member in 1975 and was elected Chair from 1983 to 1987.

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