

Cambodia: UN experts condemn conviction of trade union leader, systematic crackdown on human rights defenders

GENEVA (23 August 2021) – UN human rights experts have sharply criticised Cambodian authorities over the conviction of prominent human rights defender Rong Chhun, sentenced to prison last week along with two of his supporters over comments he made on Facebook about alleged community land loss and forced evictions along Cambodia's border with Vietnam.

The Phnom Penh Court of First Instance sentenced Mr. Chhun, a trade union activist, to two years in prison. Ms. Sar Kanika and Mr. Ton Nimol received sentences of 20 months for participating in a demonstration a year ago calling for his release from pre-trial detention.

“The prison terms and heavy fines handed to these three activists are neither justified nor proportionate,” said Vitit Muntarbhorn, UN Special Rapporteur on the situation of human rights in Cambodia. “I am extremely alarmed that the court convicted the three human rights defenders for acts that are protected by their rights to freedom of expression and peaceful assembly, rights guaranteed by Cambodian and international law.”

Mary Lawlor, UN Special Rapporteur on the situation of human rights defenders, said “human rights defenders should never be arrested, detained or convicted for their efforts to protect human rights of others.”

“We are seriously concerned that the Cambodian government uses the vaguely-worded Articles 494 and 495 of the Criminal Code against ‘incitement to create felony’ to crack down on dissent and to stifle free expression,” added the experts.

UN human rights experts have repeatedly written to the Cambodian Government over the last year raising concerns about the threats against of 25 human rights defenders, who have reportedly been subjected to intimidation, violence, or detention. The experts criticised the systematic denial of bail even though in principle, under Cambodian law, defendants should be free while awaiting trial. This becomes even more important now when the prison system is grossly overcrowded and hundreds of detainees and inmates have tested positive for COVID-19, they said.

The experts were also very concerned about credible information that 17 of the defenders currently in detention were charged or convicted under Articles 494 and 495.

“We are extremely worried that these two Articles are being used systematically to target human rights defenders,” the experts said. “We call on the Government to cease using the law to target individuals who are working to promote and protect the rights of others.”

In the court case last week, Mr. Chuun and his supporters were ordered to pay fines of US\$500 each and another fine equivalent to almost US\$100,000 to the Cambodia Border Affairs Committee for alleged damage to the Committee’s reputation.

“We are very disturbed that there was no explanation of how the three human rights defenders supposedly caused harm to the Committee,” said the human rights experts, “and certainly no explanation of how any perceived damage could justify such an exorbitant fine.”

The UN experts reminded Cambodia that it committed at its 2019 Universal Periodic Review to “end harassment and arbitrary arrests of human rights defenders” and to “create the conditions necessary to allow all individuals to enjoy their fundamental rights, particularly freedom of expression, association and peaceful assembly.”

The experts, who are in contact with the government on this matter, urged the authorities to make good on its promises: “We encourage the authorities to take concrete measures to implement the commitments they have made to end the intimidation and harassment of human rights defenders.”

ENDS

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