



KINGDOM OF CAMBODIA
Nation Religion King

**Permanent Mission of the Kingdom of Cambodia
to the United Nations Office and other
International Organisations at Geneva**

Ref: 2020/07/671

VERY URGENT

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and, with reference to the joint communication No. AL KHM 2/2020 dated 1 May 2020 of the Special Procedures, has the honour to transmit to the OHCHR clarifications from the Ministry of Interior of the Kingdom of Cambodia as to the alleged arbitrary arrest and detention of two individuals as follows:

1. Case of Ms. Ven Rachana (Thai Srey Neang)

- Ms. Ven was summoned for rectification by the Phnom Penh Municipal Police authority in relation to the act of pornography live on social media (committed from 2018 to 19 February 2020). The deed adversely affects Cambodian culture and tradition, especially dignity and honour of Cambodian women in general, which are upheld, advanced and accorded with priority in the Cambodian society. In addition, her indecent act negatively impacts the social morality in Cambodia.
- Following the said education, she signed a contract before the authority, promising to cease the posting of pornographic videos. As a result, she was allowed to return home on 19 February 2020. However, hours later, this woman repeated the posting of pornographic videos in an aggressive manner, breaching the signed deal. With due legal proceeding, facilitated by a Prosecutor attached to the Court of First Instance of Phnom Penh, a conclusion warrant No. 1030 dated 21 February 2020 was issued, launching a judicial investigation. Subsequently, an investigating judge authorized a detention order No. 2270 dated 21 February 2020, placing Ms. Ven under scrutiny for pornographic images and materials as well as indecent disclosure.

- Later, a release warrant No. 1610 dated 11 May 2020 was granted by the Prosecutor attached to the Court of First Instance of Phnom Penh.

2. Case of a Transgender Person Named Mon Iva

- This individual worked at a massage parlour in Toul Kork district, Phnom Penh. The person revealed nudity and prostituted herself on social media. These acts are punishable under Article 249 of the Penal Code as well as Articles 38 and 39 of the Law on Suppression of Human Trafficking and Sexual Exploitation. A judge at the Court of First Instance of Phnom Penh issued a detention order No. 2340 dated 24 February 2020.
- Later, a release warrant No. 2527 dated 24 June 2020 was granted.

In accordance with Article 98 of the Criminal Procedural Code of the Kingdom of Cambodia, an accused or defendant has right to a lawyer for legal assistance and representation.

The Permanent Mission would appreciate it if the OHCHR could convey the above-said details to the high destinations.

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva avails itself of this opportunity to renew the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 31 July 2020



Office of the United Nations High Commissioner
for Human Rights
Geneva