

Cambodia: UN experts say Kem Sokha trial is “tainted”

GENEVA (17 January 2020) – UN human rights experts* expressed concerns about the treason trial that opened this week against Cambodia opposition leader Kem Sokha, saying the entire process from the allegation itself to the conduct of the trial is beset by irregularities.

“We have strong grounds to believe that the treason charge against Mr. Sokha is politically motivated and forms part of a larger pattern of the misapplication of laws to target political opponents and critics of the Government,” the experts said.

Mr. Sokha was arrested, detained, and charged with conspiracy with a foreign power (treason) in relation to a speech he delivered in Australia in 2013 that was broadcast by the Cambodian Broadcasting Network (CBN). If convicted, Mr. Sokha faces a custodial sentence of between 15 to 30 years.

Following his arrest in September 2017, Mr. Sokha was denied bail and held in pre-trial detention until his conditional release into house arrest on 10 September 2018. On 10 November 2019, Mr. Sokha was granted conditional release from house arrest. He is banned from travelling abroad and is forbidden to conduct political activities. In an Opinion reached in 2018, the UN Working Group on Arbitrary Detention found that Mr. Sokha’s pre-trial detention was arbitrary.

“The entire process of Mr. Sokha’s arrest and detention has been tainted by irregularities, and clear neglect of international human rights law and Cambodian law,” the experts said. “Mr. Sokha was apprehended without an arrest warrant and with disregard for his parliamentary immunity privileges. He was also denied access to a lawyer in the early stages of his detention, and was ultimately held in pre-trial detention for a period that exceeded the maximum period permissible under Cambodian law.”

The UN experts also expressed their serious concern at public statements by some senior officials in relation to Mr. Sokha’s case, which may jeopardise his right to a fair hearing and influence the outcome of his trial. The lack of public access to the courtroom, which was limited primarily to members of the diplomatic corps, also puts in question the fairness of his trial.

The experts repeat their call on the authorities to ensure justice for Mr. Sokha, remove immediately all restrictive bail conditions, reinstate his political rights, and ensure his enforceable right to compensation and other reparations.

ENDS

*The UN experts: **Ms Rhona Smith**, Special Rapporteur on [the situation of human rights in Cambodia](#); **Mr. David Kaye**, Special Rapporteur on [the promotion and protection of the right to freedom of opinion and expression](#) and **Mr. Diego García-Sayán**, Special Rapporteur on the [independence of judges and lawyers](#).

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For more information and **media requests**, please contact: Esther Lam (+41 22 928 91 08 / elam@ohchr.org) or Siheng Ngon (+855 17 875 603 / sngon@ohchr.org)

For media inquiries related to other UN independent experts: The Media Unit (+ 41 22 928 9855 / mediaconsultant2@ohchr.org)

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