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OHCHR Statement on Press Freedom

4 May 2009

No press freedom if impunity for crimes against journalists, says UN human rights office

Today, on World Press Freedom Day, the OHCHR renews its call on the Government to confirm its commitment to press freedom by investigating past killings and guaranteeing the safety of journalists in Cambodia.

The High Commissioner for Human Rights stressed today that the safety and protection of journalists are indispensable bases for the full protection of the right to freedom of opinion and expression. OHCHR welcomes that journalists in Cambodia do not routinely face prison sentences for their professional activities, but it is clear that serious restrictions continue to limit press freedom and freedom of expression.

Last year 60 journalists have been killed worldwide in the line of duty. This statistic is a sobering reminder of the 12 killings of Cambodian journalists since 1994, whose perpetrators continue to remain at large. The killing in Cambodia last year of opposition-affiliated newspaper Moneaksekar Khmer's journalist Khim Sambo on 11 July is the most recent example of these unresolved crimes. The chilling effect that this form of impunity has on press freedom is profound.

Regrettably, it is also common in Cambodia for charges of criminal defamation to be brought against journalists and newspaper editors for publication of materials squarely in the public interest, even if defamation no longer carries a prison sentence, a step that the office encouraged and has welcomed. In a notable example, last year's charges brought against Moneaksekar Khmer newspaper editor Dam Sith have yet to be properly resolved.

Other journalists have found no alternative but to flee the country after suffering serious threats and intimidation after the publication of materials critical of the ruling party and Government. Lim Piseth, a journalist for Radio Free Asia, is but one example of a journalist who had to be granted political asylum this year. He had received renewed death threats after investigations he had undertaken on illegal logging in Kampong Thom Province.

Restrictions on press freedom go beyond print journalists to radio broadcasting. In May 2008, Angkor Ratha radio station in Kratie province was closed after it sold airtime to opposition political parties. To date, the station continues to be refused a licence to recommence broadcasting.

In modern life everywhere, the Internet is a crucial means for people and groups to communicate, to express themselves and to inform each other. Under international law, the Internet is no different from any other media, and the same rules apply to it as to newspapers, radio and television: its access should be free of restrictions.

In her statement today, the High Commissioner for Human Rights has reiterated her appeal that all states translate their formal commitments about the safety of journalists “into real, concrete measures”.

OHCHR’s experience around the world is that the best indication of Governments’ commitment to press freedom, besides statements of good intention, is for killings of journalists to be investigated and the perpetrators brought to justice. In addition, in order to prevent further killings, the Government should make a formal pronouncement that it will guarantee the safety of journalists and protect press freedom.

The OHCHR will continue to work closely with the Government, journalists associations, journalists, civil society, UN colleagues and development partners to support the effective implementation of the press law.

ANNEX:

Background Information

The killing of Khim Sambor on 11 July 2008, follows eight similar murders and attempted murders of journalists in Cambodia since 1994, all cases in which the perpetrators continue to enjoy impunity. They include:

- Nuon Chan, editor of *Samleng Yuvachuon Khmer* (Voice of Khmer Youth), was shot and killed by two men on a motorcycle in Phnom Penh on 7 September 1994.
- Sao Chan Dara, a journalist for *Koh Santepheap* (Island of Peace), was shot and killed in Kompong Cham on 8 December 1994. A military officer was tried for the murder, but acquitted. The Appeal Court upheld the acquittal and no appeal to the Supreme Court was made.
- Ek Mongkul, a journalist for FM 90 radio was shot several times as he drove on a street in central Phnom Penh on 21 October 1995. He survived the attack.
- Thun Bun Ly, editor of *Udom Katte Khmer* (Khmer Ideal) newspaper, was shot and killed by two men on a motorcycle in Phnom Penh on 18 May 1996. Half an hour before his death, he had informed a friend that he feared for his safety. In 1995, he had been prosecuted and convicted twice for publishing articles critical of the Government.
- Leng Sam Ang, editor of *Komnet Kaun Khmer* (Ideas of Cambodian People), was beaten and shot by police on 2 January 1997. He survived the attack.
- Michael Senior, a freelance photographer of Cambodian descent, was shot and killed by soldiers as he attempted to photograph troops looting a public market in Phnom Penh on 8 July 1997.
- Thong Uy Pang, editor of *Koh Santepheap*, was shot and survived his injuries in Phnom Penh on 8 June 1998. The previous year, two grenades had been thrown into the newspaper’s office.

- Chour Chetharith, a journalist for *Ta Prohm* radio, was shot and killed by two men on a motorcycle as he arrived at work on 18 October 2003.

During the same period, three other journalists met violent deaths in circumstances that have not been resolved (Thou Char Mongkul, editor of the *Antarakum* ("Intervention"), 11 June 1994; Pich Em, TVK technician in Sihanoukville, 5 May 1997; and Ou Saroeun, reporter of *Samleng Reas Khmer* (Voice of the Khmer People). Journalists continue to be frequently subject to threats, including death threats, which have often obliged them to go into hiding or seek political asylum.

Successive Special Representatives of the Secretary-General for human rights in Cambodia have concurred in their analysis that impunity is the single most important obstacle undermining the rule of law in Cambodia. In the majority of the cases where journalists have been killed, the authorities have stated that investigations are continuing, yet little or no progress has been made to date, and to the knowledge of OHCHR, no one has been brought to justice for any of these crimes.

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