

Cambodia: Release Former Radio Free Asia journalists and drop all charges

(Bangkok, 5 April 2018) – The Asian Forum for Human Rights and Development (FORUM-ASIA) condemns yesterday's decision of the Court of Appeal to continue the detention of two former Radio Free Asia (RFA) journalists, Uon Chhin and Yeang Sothearin.

The defence lawyer had argued that the two journalists were held for more than 48 hours making their detention illegal. Yesterday, however, Appeal Court Judge Phou Povsun rejected their appeal on the claim by the police that they were only held for 42 to 43 hours from November 14 to 16, which is under the legal timeframe.

FORUM-ASIA believes all charges against the two have been trumped up, and are part of an ongoing harassment campaign against free press in Cambodia. They should be released immediately.

Uon Chhin and Yeang Sothearin were arrested on 14 November 2017, which brings their pre-trial detention to 140 days. They are suspected of 'espionage' and are facing charges of 'supplying a foreign state with information prejudicial to national defence' under Article 445 of the Cambodian Criminal Code. If convicted, they could serve up to seven to 15 years in prison.

Both Uon Chhin and Yeang Sothearin had worked for the Phnom Penh Bureau of RFA till it was closed down on 12 September 2017 after having operated there for almost 20 years. RFA declared, at the time, it was doing so due to repression from the Government, threats against reporters, and the closure of its FM broadcasts. The stated reason for their arrest was that allegedly they were still filing reports to the headquarters of RFA in the United States.

Additionally, last week it was announced that additional charges have been filed against the two for allegedly producing pornography. Charges both vehemently deny. Some photos were circulated on the internet which reportedly feature Uon Chhin. However, he does not seem to be clearly identifiable and Yeang Sothearin is not featured in any of the images.

Earlier attempts to be granted bail were denied. Most recently on 16 March 2018, when the Supreme Court upheld an earlier verdict of the Appeal Court to continue their pre-trial detention.

The trumped up charges against Uon Chhin and Yeang Sothearin, the blatant disregard of their rights while in detention, the dubious reasons given for the denial of bail, and now the most recent additional charges filed against them appear to be part of a deliberate strategy of the authorities to intimidate RFA in particular, and journalists in general in the lead up to the General Election scheduled for 29 July 2018. Similar ongoing harassment and attacks against the media and human rights defenders echo through in the forced closure of the long-running independent newspaper Cambodia Daily in September last year and the taking off air of more than 30 nationwide radio transmissions.

Their case is another example of the undermining of human rights in Cambodia, in particular of the right to freedom of expression aligned with its ratification of the *International Covenant on Civil and Political Rights* (ICCPR). If the Cambodian Government wants to prove its intentions to stir the country towards a free and fair election, it should ensure a fair trial of Uon Chhin and Yeang Sothearin by allowing them due

process. The Government of Cambodia should drop the trumped-up charges and actions should be taken on their arbitrary detention. They should be released immediately.

About FORUM-ASIA:

FORUM-ASIA is a regional human rights group with 58 member organisations in 19 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratization.

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