

Cambodia: Ensure a fair trial for the Cambodian human rights defenders

(Bangkok, 17 September 2018) – The Asian Forum for Human Rights and Development (FORUM-ASIA) urges the Government of Cambodia to ensure a fair trial for five Cambodian human rights defenders facing trial tomorrow, and to end the ongoing harassment they face as a result of undertaking their legitimate work to promote and defend human rights in Cambodia. Four of the human rights defenders are senior staff from the Cambodian Human Rights and Development Association (ADHOC) — Ny Sokha, Yi Soksan, Nay Vanda, and Lim Mony – who are facing charges of ‘bribery of a witness.’ Ny Chakrya, the Deputy Secretary-General of the National Election Committee and a former ADHOC staff member, is charged as an accomplice to the same crime. All five have denied the allegations, which relate to legal advice they provided to a victim of government harassment, which fell within the mandate of the human rights organisation.

Following their release on bail in June 2017, after spending 14 months in pre-trial detention, tomorrow will be the second time for some of them to be called to appear at court. The hearing, initially scheduled for 27 August 2018, was delayed considering that two defendants and several key witnesses had not received a summons. Considering that a trial date was not confirmed for over a year, they experienced constant fear of being returned to prison, which undermined their ability to continue their work freely.

The arrest and harassment of staff associated with ADHOC, Cambodia’s oldest human rights organisation, has raised serious concern from the international community.¹ In the past year the increasingly shrinking civic space in Cambodia has significantly restricted the ability of human rights organisations, such as ADHOC, to carry out their vital human rights work. Cambodia must take genuine steps to create an enabling environment where fundamental freedoms and human rights can be respected and protected in the country.

Intimidation and harassment of human rights defenders is not unusual in Cambodia. Land right activist Tep Vanny, who was released on 20 August 2018, had been in detention for over two years and faced unfair trials for defending the rights of the Boeung Kak Lake community, and other victims of human rights abuses in Cambodia.² The following day, two former Radio Free Asia journalists — Uon Chhin and Yeang Sothearin — who had spent nine months behind bars³ were released on bail. Considering the Cambodian judiciary’s lack of independence and impartiality, these politically motivated charges were clear retribution for their legitimate work.

¹[Civil Society under Threat in Cambodia: One Year in Prison for the ADHOC 5](#)

²[Joint Statement: Civil Society Groups Call for the Release of Tep Vanny](#)

³[Cambodia: Release former Radio Free Asia journalists and drop all charges](#)

For the five rights defenders facing trial tomorrow, they have lived in uncertainty since the day they were released. The trial must adhere to international fair trial rights standards and respect due process. The right to a fair trial is essential for the rule of law and a just society. It is not only defined in international human rights instruments ratified by Cambodia, it is also entrusted in the Cambodian constitution. As a regional human rights network organisation, FORUM-ASIA strongly urges the Cambodian Government to ensure the Cambodian human rights defenders receive a fair trial in accordance with international standards, and to ensure an enabling environment for the work of all human rights defenders in Cambodia.

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 democratisation.

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