



Cambodia: Withdraw Arrest Warrants for CNRP Politicians, Take Genuine Steps towards Restoring Democratic Space

(21 March 2019) - The Asian Forum for Human Rights and Development (FORUM-ASIA), ASEAN Parliaments for Human Rights (APHR), and the Asia Democracy Network (ADN) denounce the issuance of warrants of arrests by a Cambodian court for exiled politicians affiliated with the Cambodia National Rescue Party (CNRP). The move is further proof of the regime's determination not to loosen its grip on democratic space. We call on the warrants to be immediately withdrawn, for the Government of Cambodia to allow the safe return of all exiled politicians, and to take genuine steps towards restoring multi-party democratic space in the country.

The Phnom Penh Court of First Instance issued arrest warrants for eight exiled senior CNRP politicians, including co-founder Sam Rainsy as well as former vice-presidents Mu Sochua and Eng Chhay Eang on 12 March. The order was only made public this week.¹ The eight have been charged with incitement to commit a felony and plotting under articles 453, 494 and 495 of the Criminal Code. These baseless charges amount to the latest instance of judicial harassment and violate these individuals' fundamental rights to freedom of expression, peaceful assembly and association, and further highlights the ongoing lack of civic space for engagement and dissent.

Since its near-loss in the 2013 national elections, the Government of Prime Minister Hun Sen has become increasingly authoritarian and relied on continuous attacks against democratic institutions. Repressive laws, such as the Law on Associations and NGOs (LANGO) and the addition of a *lèse majesté* provision in the Criminal Code, have been used to harass and detain dissidents. In the context of the lack of a free press and an arbitrarily disbanded opposition party, these policies have had a chilling effect on all people in Cambodia, who should have the ability to hold politicians accountable.

Following widespread criticism that Cambodia was descending into outright authoritarianism after the July 2018 national elections, the Government made assurances to the international community to improve. Since then, the Government has however only made superficial concessions, without any meaningful change in securing lasting improvements to its respect for human rights. An amendment to the Law on Political Parties from December 2018 supposedly allows for banned CNRP politicians to return to politics.² This move, however, in reality further reinforces the power of the ruling party, since politicians

¹ Cambodian Court issues arrest warrants for top opposition leaders.

<https://www.aljazeera.com/news/2019/03/cambodian-court-issues-arrest-warrants-top-opposition-leaders-190318020938567.html>

² Ministry issues guidance on restoration of political rights

<https://www.phnompenhpost.com/national-politics/ministry-issues-guidance-restoration-political-rights>

must seek a so-called clemency through a request made to the Interior Ministry, which the Prime Minister ultimately arbitrarily decides upon.

Threatening exiled CNRP politicians with arrests upon their return to Cambodia highlights a lack of genuine commitment by the Government to engage with its critics.

We call on the Government of Cambodia to take genuine steps towards restoring democratic space, by revoking all arbitrary standing warrants against politicians and other critics, and allowing for the safe return of those in exile. It must also immediately repeal repressive laws and meaningfully engage with international human rights mechanisms.

We also call on the international community to continue to exert pressure on the Government of Cambodia, and to support exiled and local actors who continue to face harassment and threats for their political and human rights related work.

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