

LICADHO Canada works for all people in Cambodia to live in a peaceful society that respects human rights, democracy, and social justice.

March 2016



THE WHOLE WORLD IS WATCHING

## A FAÇADE OF AN INDEPENDENT JUDICIARY

As we navigate through 2016, Cambodians continue to struggle for their rights while the ruling Cambodian People’s Party uses all means possible to restrict organising groups and activists calling for change. The first three months of 2016 have been an illustration of the many ways the ruling party uses to control Cambodians, and the ruling party’s fear of people’s organising.

### JUSTICE DENIED FOR THE 23

The 23 workers and human rights defenders convicted and released with suspended sentences in May 2014, after a trial characterised by a complete absence of fair trial rights and lack of judicial impartiality, appealed their conviction in January. Thirteen of the 23 had their convictions upheld, whereas the 10 remaining had their appeal trial postponed indefinitely.

The 23 were arrested in January 2014 after state security forces violently beat and used live ammunition against protesting garment workers, supporters and bystanders, killing at least four and hospitalising dozens. Nobody has been held accountable for the murders and violence.

### ORCHESTRATED VIOLENCE AGAINST PROTESTING BUS DRIVERS

On February 6, two unionists were arrested during a violent attack on former Capitol Tours Bus Company drivers as they demonstrated with supporting union Cambodia Informal Worker Association (CIWA). The bus drivers had been protesting after the dismissal of 45 bus drivers who claim they were fired after trying to form a union.

buses from leaving the station around 50 supporters from Cambodia for Confederation Development Association (CCDA), dressed in black clothes and wearing helmets, approached the protesters and the bus. Some of the CCDA members wielding hammers, metals bars and sticks, savagely beat and kicked the protesting bus drivers and their supporters. At least 14 people were injured, including protesting bus drivers and their supporters, one NGO staff from CENTRAL and one police officer. Anti-demonstration police also took part in the beatings

In the morning of February 6, around 50 protesters were demonstrating near the office of Capitol Tours Bus Company in Phnom Penh. As they attempted to block one of the Capitol



Around 500 police and security guards showing participants, confiscating banners and breaking up groups of people during the second memorial ceremony for the Veng Sreng shootings and police brutality, January 3, 2016.



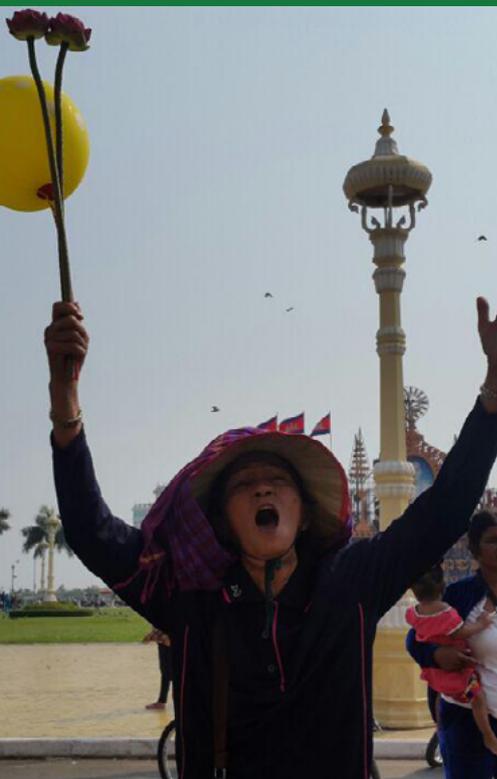
Protesting bus drivers beaten by armed thugs, February 6, 2016.

Watch video evidence of the violence [here](#).



Unionists and bus drivers protest for the release of the two detained men outside the Appeal Court, February 23, 2016.

Both men have been detained since February 6 and are being charged with aggravated intentional violence, obstructing public officials and obstructing a public road. Both sustained injuries from the savage beating by CCDA during their arrest.



Land rights activist shows her disappointment with the ruling of the Supreme Court, March 16, 2016.

of the protesters and then arrested two victims of the violence.

While not a single member from CCDA have been arrested, despite video evidence clearly showing CCDA members attacking the bus drivers and supporters, an additional four union leaders were charged on the same day (Cambodian Labour Confederation (CLC) President, CLC General-Secretary, Cambodian Informal Economy Workers Association (CIWA) President, and Cambodian Transport Workers Federation (CTWF) Secretary) - none of them being present at the incident.

CCDA is a small tuktuk and motodop taxi association known for resorting

to violence, or accepting payment to stage demonstrations against citizens and NGOs exercising their rights, and with close connections to the ruling Hun family. CCDA - which has a lucrative contract with Capitol - claims that the protesting bus drivers and supporters were disrupting their business around the Capitol bus station.

LICADHO Canada stands firm in its decision, together with at least 50 other civil society organisations and network, to boycott both Capitol services and CCDA tuktuks and motodops until legal action is taken against the violent perpetrators and the unlawful charges against the unionists are dropped.



Land rights activists march and pray for justice, March 16, 2016.

## JUDICIAL SMACKDOWN

On March 2, the case of 13 female land rights activists from Boeung Kak community was finally heard at the Supreme Court for an unjust conviction in 2012.

Their case dates back to May 22, 2012 when they were arrested during and after a peaceful protest highlighting a long-standing land dispute with Shukaku Inc. company, owned by a ruling party senator. On May 24, 2012 they were convicted and sentenced to two-and-a-half years' imprisonment. Nget Khun, alias Mommy, had one-and-a-half

years of her sentence suspended, and five others had six months of their sentences suspended. Their lawyers had walked out of the trial in protest over lack of proper judicial procedure.

On June 27, 2012, the Appeal Court tried the 13 women and upheld the sentences but suspended all but one month and three days - and released all women on the same day.

On March 16, the Supreme Court announced that their convictions will be upheld.

## OPPOSING THE OPPOSITION PARTY

Eleven convicted Cambodia National Rescue Party (CNRP) members and supporters had their appeal hearing on March 17. However, the hearing did not finish and is set to continue on a "later date". All 11 were convicted on July 21, 2015 for leading and/or participating in an insurrectionary movement and received 7-20 years imprisonment.

Additionally, Hong Sok Hour, Sam Rainsy Party Senator, is remaining in pre-trial detention for a border map he posted on his Facebook page. In October 2015, the senator's trial began immediately following Hong Sok Hour's rejected bail hearing, however, the trial was suspended indefinitely in order to re-investigate how to 'download something from the Internet'.

## CRACKDOWN ON ONLINE EXPRESSION

In December 2015, a new Law on Telecommunications was passed in silence, amid an opposition boycott of the parliament and the ruling party's growing sensitivity to freedom of expression. The new law gives the government power to spy and criminalise electronic communication if considered to cause "national insecurity".

The law follows suit of the Law on Association and NGOs (LANGO), adopted in August 2015, and is part of a legislative control agenda ahead of the next elections. The most worrisome aspect of the law is its vagueness of determining the legality of an act. Potentially any phone calls, text messages, emails, radio or TV broadcasts could be criminalized should it be determined

after the fact to have led to national insecurity.

The student who called for a 'colour revolution' on his Facebook last year was sentenced to 18 months imprisonment for incitement on March 15. The student's conviction represents the latest development in a growing trend for authorities to take action against online expression. It also indicates what the new law's true intentions are – to silence people expressing hope for change.

Under the new law, the use of any telecommunications equipment that leads to "national insecurity" is an offence punishable by up to 15 years in prison.



In February LICADHO Canada lost one of its close friends, a prominent land rights activist.

Chhek Sambo.

She was 51 and suffered a stroke on February 3. She died on February 4 in her home in Banteay Srey district, Siem Reap province.

For nearly ten years Sambo led her community in its efforts to achieve a resolution in a complicated land dispute. Despite her significant poverty and difficult living conditions – and a two-month period of imprisonment in 2009 – she remained throughout a creative and resilient activist. As well as leading her own community, she regularly supported the work of other activists in Siem Reap and other provinces, and was one of the principal organisers of International Human Rights Day celebrations in Siem Reap.

She will be remembered by those who knew her for her intelligence, composure, generosity and determination.



Kong Raya - student, after his conviction, March 15, 2016 (courtesy of Voice of Democracy).



**GOING OFFLINE?**  
 THE THREAT TO CAMBODIA'S NEWFOUND  
 INTERNET FREEDOMS

A report issued in  
 May 2015

In May 2015, LICADHO released a report about the draft law threatening Cambodia's newfound Internet freedoms.

Read LICADHO's 2015 report on the threats to Cambodia's internet freedoms [here](#), and a [briefing paper](#) on the Law on Telecommunications [here](#).

**AN ABSURD ATTEMPT TO HINDER PEOPLE ORGANISING**

On March 8, around 200 people gathered in front of the Ministry of Women's Affairs for International Women's Rights Day celebrations and activities, including monk blessings and an almost 10 kilometre bicycle ride to the National Assembly to submit a petition. As the group was preparing to cycle single file to the National Assembly, the group was blocked and surrounded by mixed security forces for over three hours before anyone was allowed to disperse. This police blockade caused a massive traffic jam and the road to become a bottleneck of heavy trucks and commuting people.

The day before the scheduled events, Phnom Penh City Hall informed the organisers that their planned bicycle ride was not permitted, implying that the ride would cause traffic jams in Phnom Penh.

In light of the ridiculous response from the authorities, the group was left to continue their celebration under direct sunlight outside the Ministry of Women's Affairs as trucks, workers and commuters watched from their vehicles.

Organisers had originally decided to distribute leaflets and roses to bystanders and participants, however, when facing the unreasonable response from the security forces, participants walked over to the blockages, got down on their knees, and gave the roses to the security forces.

Despite such peaceful and beautiful actions by participants, the security forces continued going berserk, ripping Cambodian flags and signs from participants' bicycles.



A woman, during International Women's Day celebrations, giving roses to a police officer, March 8, 2016.