



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

June 2016



Cambodia's Political Prisoners:

- Lim Mony - ADHOC
- Nay Vanda - ADHOC
- Ny Chariya - NEC
- Ny Sokha - ADHOC
- Yi Soksan - ADHOC
- Seang Chet - Sam Rainsy Party
- Um Sam An - CNRP MP
- Norng Sarith - Sam Rainsy Party
- Sok Sam Ean - CNRP supporter
- Kong Raya - Cambodia Student Network
- Sim Samnang - Mother Nature
- Sun Mala - Mother Nature
- Try Sovikea - Mother Nature
- Hong Sok Hour - Sam Rainsy Party
- Yea Thong - CNRP Youth
- Roeun Chetra - CNRP Youth
- Yun Kimhour - CNRP Youth
- Dav Tep - Monk
- An Batham- CNRP Youth
- Ke Khim - CNRP supporter
- Khin Chamreun - CNRP Youth
- Meach Sovannara - CNRP
- Neang Sokhun - CNRP Youth
- Oeur Narith - CNRP
- Ouk Pich Samnang - CNRP supporter
- San Kimheng - CNRP Youth
- San Seihak - CNRP Youth
- Sum Puthy - CNRP
- Tep Narin - CNRP Youth

[Sam Rainsy Party and Human Rights Party merged in 2012 to Cambodia National Rescue Party - CNRP]

BLACK MONDAY

More than a year before the scheduled commune elections, the ruling Cambodian People's Party (CPP) has intensified its efforts to weaken opposition and silence civil society. Strategies commonly used to quash dissent, such as abuse of the judiciary and restrictions on freedom of assembly, have been accompanied by phone tapping, suppression of freedom of expression, arrests of human rights workers and threats to close human rights organisations.

ABUSE OF STATE INSTITUTIONS

In early March, a series of recorded phone calls between Cambodia National Rescue Party (CNRP) deputy president Kem Sokha and an alleged mistress were leaked on social media under suspicious circumstances. The Anti-Corruption Law empowers the Anti-Corruption Unit (ACU) to tap phones without approval by an investigating judge if they suspect that a corruption offence has occurred. The Council of Ministers spokesman said in early May that Kem Sokha had extremist views and had called for violence, thus was monitored. Many commentators have hinted at the possibility of the scandal being fabricated as a smear campaign against Kem Sokha. The leaked phone calls have unleashed a series of questionable charges and threats against outspoken organisations, opposition party politicians and prominent critics from civil society.

The alleged mistress, Khom Chandaraty also known as Srey Mom, initially denied the accusations and sought assistance from human rights

NGO Cambodian Human Rights and Development Association (ADHOC). ADHOC provided her with legal and material assistance, including to attend questioning by judicial authorities.

After Srey Mom was questioned by anti-terrorism police and the case prosecutor about the alleged affair, she lodged a complaint claiming that the rights workers had made her lie to the authorities. The assistance provided by ADHOC to Srey Mom, routine practice for an organization of its kind, is now being portrayed as a bribe by the ACU.

On April 27 and 28, five ADHOC staff, the Director of Silaka and a former ADHOC staff recently appointed deputy secretary-general of the National Election Committee were summoned by the ACU to respond to the allegations made by Srey Mom in the complaint. The questioning continued until April 30 with only one of the five ADHOC staff and the Director of Silaka allowed to leave the ACU compound. On Sunday May



Lim Mony, Senior Investigator women's and children's section at ADHOC, just before her questioning at ACU on April 28, 2016.



Nay Vanda, ADHOC deputy head of human rights section outside the ACU on April 27, 2016.



Children holding banner of political prisoners on a "Black Monday" event, May 30, 2016.

1 four ADHOC staff and the NEC representative were transported to Phnom Penh Municipal Court for further questioning and on Monday May 2 they were charged with bribing a witness and of being accomplices to bribing a witness. In the evening of May 2, the four ADHOC staff were transferred to Prey Sar prison for pre-trial detention, while the former ADHOC staff was transferred to Phnom Penh prison for pre-trial detention.

A United Nations Office of The High Commissioner for Human Rights (UNOHCHR) staff was initially summonsed for questioning for his alleged involvement in the bribery of Srey Mom. Under the Convention

on the Immunities and Privileges of the United Nations the UNOHCHR employee enjoys immunity from any legal proceedings related to conduct performed in his official capacity. The Cambodian government has repeatedly stated that they would not respect his immunity, which would be a violation of their obligations under the Convention. The UNOHCHR staff did not appear for his summons and did not undergo any questioning by the authorities, but was still charged in absentia for his alleged role in the scandal.

If convicted, all six charged individuals could face sentences ranging between five and ten years' imprisonment.

CRACKDOWN ON CIVIL SOCIETY

In response to the detention of the four ADHOC staff and the deputy secretary-general of the National Election Committee, civil society groups launched the "Black Monday" campaign. On the first "Black Monday", as civil society groups and activists intended to gather in front of Prey Sar prison police road blocks were set up, hindering community representatives from leaving their community and preventing others from reaching the prison.

On that first "Black Monday", the Executive Director of Sahnmakum Teang Tnaut (STT) and the Deputy Director of Advocacy at LICADHO were arrested. Later that morning, four land rights activists were arrested as well as two foreign consultants from LICADHO/LICADHO Canada, all for wearing black t-shirts. All eight of them were detained until the evening and questioned about the "Black

Monday" campaign. The following week, five land rights activists were arrested as people across and outside Cambodia marked the second "Black Monday". On the fifth "Black Monday" seven activists were detained as they made their way to Prey Sar prison. All were released the same day after an agreement had been signed to stop their activism. In total, 16 individuals have been detained since the first "Black Monday" for wearing black or affiliating with black-wearing activists, four activists detained twice.

A day after the first "Black Monday", Prime Minister Hun Sen announced a de facto ban on all colour-coordinated protests, and later threatened media for reporting on the ban. Yet, the campaign has grown both within Cambodia and abroad, with activists and supporters increasingly using social

media to post black photos and messages expressing their outrage at the government's crackdown on civil society.

As a further attempt to curb critique, the government has clamped down hard on a new web page released in mid-May by LICADHO. The web page: Cambodia's Political Prisoners, currently features details about 29 individuals facing ostensibly politically motivated charges, including the number of days that they have been held in detention.

A spokesman from the Ministry of Justice said: *"I want to inform public opinion that Cambodia does not have*

political prisoners at all." Referring to the Law on Associations and NGOs (LANGO) passed in 2015, the spokesman went on to make threats against LICADHO, claiming that they had violated the law's provisions on political neutrality, and could face possible suspension as a consequence if they did not comply with the provision. Since the early drafts of the LANGO, it has been clear that the sole purpose of the law is to restrict the existence and legitimate activities of organizations whose promotion of human rights run counter to the government's interests.

ROUNDING UP THE CRITICS

Losing ground fast, the ruling party is going hard on its critics. With opposition leader Sam Rainsy in self-exposed exile after an arrest warrant was issued for him in November 2015, Kem Sokha is facing legal trouble for a number of dubious offenses stemming from the leaked phone recordings.

On May 26, security forces surrounded Kem Sokha's car as it was leaving the CNRP headquarters, in a brazen attempt to arrest him. To their surprise he had remained at the headquarters. The following day he was charged with "flagrant crime" by failing to appear for questioning. While Kem Sokha enjoys parliamentary immunity from arrest and prosecution, the CPP majority National Assembly nevertheless voted to allow the legal process against Kem Sokha to continue, in a vote that was boycotted by CNRP lawmakers. Kem Sokha is scheduled to appear in front

of the Phnom Penh Municipal Court on June 14 for ignoring previous summons.

Additional shenanigans have involved Thy Sovantha – a social media celebrity who claims to support the CNRP but has been accused of spying for the CPP – who has filed a defamation claim against Kem Sokha for conversations about her on the leaked phone recordings, as well as Ou Virak, a political commentator who was sued for defamation by the CPP after he made comments about the suspicious leaking of the phone recordings.

As the crusade against critics of the CPP continues, the ruling party stands divided. The upcoming commune elections in 2017, and national elections in 2018, will mark a crucial time in Cambodia's history and may show once and for all that Cambodians are ready for change.



On May 11, Vorn Pao, President of Independent Democracy of Informal Economy Association, was questioned by police over accusations that his group was printing black T-shirts. After his questioning, which lasted an hour and a half, police also searched the Solidarity House offices but failed to find any T-shirt printing machine.



Kem Sokha's car surrounded by security forces on May 26, 2016.
[picture from Facebook]