The Dangers of Dissent: Attacks on Cambodia’s Human Rights Defenders
July 3, 2017

“We are not scared of jail. We have been here before. But we need to be released, so we can continue to fight for justice.”
Boeung Kak Lake representative Tep Vanny, March 2017.

“We are all still human rights defenders. The first thing I will do is continue my human rights work.”
ADHOC staffer Yi Soksan on his release from prison, June 2017.

As Cambodia’s human rights situation continues to backslide, exposing and speaking out against state-perpetrated abuses is ever more crucial. In the last two years, however, human rights defenders and other critical or independent voices have been among the main victims of Cambodia’s fractious political situation. In July 2016, one human rights defender who regularly offered dissenting views paid the ultimate price. Political analyst Kem Ley was shot dead in broad daylight; although the main suspect was subsequently convicted of murder after a four-hour trial, to date, there has been no credible thorough investigation into the killing.

In this latest of a series of recurring briefing papers, LICADHO sets out threats facing those who stand up for human rights in today’s Cambodia. Long-standing tactics used to silence human rights defenders – judicial harassment by a politicized court system; state-sponsored violence; and intolerance of peaceful protest – have been reinforced by new incapacitating laws and targeted digital surveillance. Although the examples presented in this paper are by no means exhaustive, taken together they provide a snapshot into the kinds of abuses that human rights defenders have been routinely subjected to in Cambodia over the last two years. With a national election only a year away, it is more than likely that these trends and tactics provide a window into the future, and that attacks on human rights defenders will continue to be part of the government’s ongoing efforts to further restrict the basic constitutional freedoms of Cambodian citizens.

Since 2015, community representatives, union leaders, environmental activists and monks have been slammed with baseless charges, summonsed to court as an intimidation tactic to silence their continued activism, and even imprisoned as Cambodia’s deeply politicized court system is used as a muzzle against those whom the government deems a threat.

Award-winning community representative Tep Vanny has been subject to a relentless judicial attack: in the last year alone, she has been convicted on politically-motivated charges in three separate cases, two of which date back years. Other human rights defenders in her community – many of them women – have been similarly targeted.

Four staff members of human rights NGO the Cambodian Human Rights and Development Association (ADHOC) – Ny Sokha, Nay Vanda, Yi Soksan and Lim Mony – as well as National Election Committee Deputy-Secretary Ny Chakrya were imprisoned from May 2016 until their release on bail just last week on politically-motivated bribery charges. For Ny Chakrya, merely speaking out against flawed judicial proceedings in May 2015 brought him a conviction and prison sentence in another politically-motivated case, handed down in a clear attempt by the Cambodian government to silence legitimate criticism.

“While last week’s release on bail of the four ADHOC staff and NEC member Ny Chakrya was a welcome first step, they still face charges and other human rights defenders are still behind bars. All imprisoned human rights defenders who have been persecuted just for standing up and speaking out against injustice must
be released immediately and unconditionally, and their charges dropped,” said LICADHO Deputy Director for Advocacy Naly Pilorge.

State-sponsored and state-tolerated violence, particularly against peaceful gatherings, has become a regular occurrence as police, para-police and even soldiers are deployed to obstruct peaceful assemblies and disperse protesters, routinely leaving human rights defenders, activists and unionists injured. In October 2016, for example, Boeung Kak Lake community representative Chan Puthisak and Am Sam Ath, LICADHO’s Monitoring Manager, were brutally attacked by para-police in the middle of Phnom Penh while monitoring a peaceful World Habitat Day march.

“Despite the efforts of the government, Cambodia’s human rights defenders hold perpetrators of abuse accountable, and are empowering their communities, unions and groups to challenge those who deny their rights,” said Naly Pilorge.

While these tactics are not new, the legislative arsenal used to target human rights defenders has been expanded through a series of harmful new laws and amendments. At least six repressive laws have been enacted since 2014, specifically aimed at closing off space for civil society, delegitimizing the work of human rights defenders and harshly punishing expression and dissent – the Law on Unions of Enterprises (Trade Union Law), the Law on Associations and Non-governmental Organisations, the Law on Telecommunications, the Law on the Organization of the Courts, the Law on the Organization and Functioning of the Supreme Council of Magistracy, and the Statute of Judges and Prosecutors. Four further repressive draft laws are in the pipeline and could complete the legislative lockdown, impacting on the critical voices of workers and campaigners, lawyers, journalists, trade unionists, rural and community leaders and ordinary citizens.

Belligerent rhetoric from government officials and the armed forces has also become commonplace: time and time again over the past two years, peaceful assembly and expression has been disingenuously labelled as “colour revolutions” and shut down – at times violently – by authorities. This multi-faceted crackdown on peaceful assembly and expression is particularly dangerous in the pre- and post-election contexts.

“A functioning society needs critical voices for continuous development. With the recent threats made against the Situation Room, an informal platform to monitor the country’s recent local elections, the government is showing that these voices should not be heard in Cambodia,” said Naly Pilorge.

Although it is all but certain that the government will continue to deny people their freedoms into the election year ahead, it is equally clear that any such clampdown will continue to be met with resilience, solidarity and renewed calls for justice from Cambodia’s human rights defenders and those for whom they stand up. LICADHO stands with Cambodia’s human rights defenders, and calls for the immediate and unconditional release of all imprisoned human rights defenders, a prompt and thorough investigation into attacks on human rights defenders, and an end to unwarranted crackdowns on people peacefully exercising their right to freedom of assembly and expression.

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