

9 May 2016, Bangkok, Thailand

Prime Minister Mr. Hun Sen

Office of the Prime Minister
41 Russian Federation Blvd
Phnom Penh, Kingdom of Cambodia

Re: End legal harassment of Cambodian human rights defenders including ADHOC staff members

We, the Asian Forum for Human Rights and Development (FORUM-ASIA), along with our 56 member organisations from other 18 countries across Asia, call upon you to immediately drop all charges and end the legal harassment of six human rights defenders (HRDs) who are being implicated in false propaganda. These HRDs include four senior members of the Cambodian Human Rights and Development Association (ADHOC), the Deputy Secretary-General of the National Election Committee (NEC), and a staff member of the Cambodia Office of the United Nations High Commissioner for Human Rights (COHCHR).

ADHOC, a member of FORUM-ASIA, was founded in December 1991 and works to address the absence of basic human rights and civil liberties in Cambodia.

FORUM-ASIA also calls for the immediate and unconditional release of four ADHOC staff members, Ny Sokha, Nay Vanda, Yi Soksan and Lim Mony, and NEC's Deputy Secretary-General, Ny Chakrya. Authorities have filed charges against COHCHR staff member, Sally Soen as well despite his immunity as a UN official, but have not arrested him.

On 27 and 28 April, four senior staffers of ADHOC were summoned by the Anti-Corruption Unit (ACU) for questioning related to allegations of bribing a witness. Along with them, two other HRDs, Thida Khus and Try Chhuon were also summoned. Sally Soen was also called upon, but he did not appear before the ACU due to his immunity under the Convention on the Privileges and Immunities of the United Nations.

In addition, political analyst Ou Virak was also summoned for his comments regarding Khom Chandaraty's case. The Cambodian People's Party (CPP) spokesman Sok Eysan has filed a complaint of public defamation against Ou Virak, under Article 305 of the Criminal Code.

On 2 May, the four ADHOC staffers were charged under Article 548 of the Criminal Code (bribery of a witness) and sent to the CC1 and CC2 prisons in Phnom Penh. Ny Chakrya and Sally Soen were charged with being accomplices to the offence under Article 29 and 548 of the Criminal Code. The six HRDs are facing up to ten years imprisonment if found guilty.

These charges were brought against them following ADHOC providing legal assistance to Khom Chandaraty, also known as Srey Mom. She was summoned by the anti-terrorism police in a defamation case linked to a leaked tape of her having a conversation with Kem Sokha, the opposition leader and acting president of Cambodia National Rescue Party (CNRP), about their alleged extra-marital affair.

The legal harassment of the six HRDs demonstrates the worrying trend of shrinking civil society space in Cambodia, as well as attempts to obstruct the legitimate work of human rights defenders in the country. We are deeply concerned that the judicial system and state institutions are being used to intimidate, criminalise, and punish HRDs and civil society organisations.

We request the Royal Government of Cambodia to guarantee that all HRDs are able to carry out their human rights activities without fear of reprisals, intimidation, threats and legal harassment, or any unjustifiable and unnecessary restrictions of their human rights, as stipulated in the UN Declaration on Human Rights Defenders.

We also urge the judiciary and state institutions to respect the rule of law, function in an independent, impartial, and transparent manner, and reinforce the human rights enshrined in Cambodia's own Constitution and those stemming from international human rights obligations.

We reiterate our call to the Cambodian authorities to immediately and unconditionally release Ny Sokha, Nay Vanda, Yi Soksan, Lim Mony and Ny Chakrya, drop all charges against the five of them and as well as against Sally Soen, and put an end to such persecution of human rights defenders in Cambodia.

Yours Sincerely,



Evelyn Balais-Serrano

Executive Director, FORUM-ASIA

Tel: +66 (0)2 637 9126-7 Fax: +66 (0)2 637 9128

Email: ea@forum-asia.org / hrd@forum-asia.org

Website: www.forum-asia.org

On behalf of the following member organisations of FORUM-ASIA:

Afghanistan

- CSHRN – Civil Society and Human Rights Network

Bangladesh

- ASK – Ain O Salish Kendra (Law and Mediation Center)
- MLAA – Madaripur Legal Aid Association
- Odhikar
- RIC – Resource Integration Center
- RMMRU – Refugee and Migratory Movements Research Unit

Burma

- Equality Myanmar

India

- ADHIKAR – Center for Social Action Documentation Research & Training
- Dalit Foundation
- FARR – Friends' Association for Rural Reconstruction

- MASUM – Banglar Manabadhikar Suraksha Mancha
- PW – People’s Watch
- PVCHR – People’s Vigilance Committee on Human Rights
- RDS-LRSA – Rural Development Society
- SICHREM – South India Cell for Human Rights Education and Monitoring
- HRA – Human Rights Alert

Indonesia

- AJI – The Alliance of Independent Journalists Indonesia
- HRWG – Indonesia’s NGO Coalition for International Human Rights Advocacy – Human Rights Working Group
- IMPARSIAL – Inisiatif Masyarakat Partisipatif untuk Transisi Berkeadilan
- KontraS – The Federation of Commission for the Disappeared and Victims of Violence
- PBHI – Indonesian Legal Aid and Human Rights Association
- SAMIN – Yayasan Sekretariat Anak Merdeka Indonesia
- YLBHI – Indonesia Legal Aid Foundation

Malaysia

- ERA Consumers – Education and Research Association for Consumers
- SUARAM – Suara Rakyat Malaysia
- KOMAS – Pusat Komunikasi Masyarakat

Maldives

- MDN – Maldivian Democracy Network

Mongolia

- CHRHD – Center for Human Rights and Development
- GI – Globe International

Nepal

- CSRC – Community Self Reliance Centre
- INSEC – Informal Sector Service Center
- WWS – Women’s Welfare Society

Pakistan

- B4A – Bytes for All (ICTs for development, democracy and social justice)
- HRCP – Human Rights Commission of Pakistan
- NCJP – National Commission for Justice and Peace
- PODA – Potahar Organization for Development Advocacy
- SPARC – Society for the Protection of the Rights of the Child
- AWAZCDS – AWAZ Foundation Pakistan: Centre for Development Services
- AWAM – Association of Women for Awareness & Motivation

Philippines

- PAHRA – Philippine Alliance of Human Rights Advocates
- PLRC – PILIPINA Legal Resources Center
- TFDP – Task Force Detainees of the Philippines
- TK – Tanggol-Kalikasan – Public Interest Environmental Law Office

Singapore

- Think Centre

South Korea

- KHIS – Korean House for International Solidarity
- PSPD – People’s Solidarity for Participatory

Sri Lanka

- INFORM – Human Rights Documentation Centre
- LST – Law and Society Trust

Taiwan

- TAHR – Taiwan Association for Human Rights
- CW – Covenants Watch