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RIGHTS OF MONITORS ABUSED AND PROTESTORS BLACKMAILED AS CRACKDOWN ON FREEDOM OF EXPRESSION CONTINUES UNABATED

We the named organisations, express our deepest concern at the prevention by Dangkar district police of a demonstration by villagers against the alleged seizure of their farmland, the arrest and reported blackmail of villagers who attempted to take part in the demonstration and the deletion of photographs taken by human rights monitors from the Cambodian Human Rights and Development Organisation (ADHOC) and the Cambodian League for the Promotion and Defense of Human Rights (LICADHO).

The attempted demonstration in question was set against the all too familiar backdrop of a land dispute. On 1 March 2010, villagers from Proka Village in Dangkor District who are involved in a land dispute with In Samon, the deputy Secretary General of the Ministry of Interior, attempted to hold a demonstration outside the home of Prime Minister Hun Sen in Takhmao. At 8am however, these villagers were blocked by police with shields and electric batons enroute to the home of the Prime Minister. After confrontations with villagers, the police placed eight villagers under arrest, one of whom has since stated that they were not informed of the reason for their detention. In addition, the police confiscated cameras belonging to rights monitors from Adhoc and Licadho and deleted photographs taken by the monitors. On 3 March 2010, it was reported that seven of eight detained villagers were released after succumbing to threats by the police of imprisonment in Prey Sar prison if they refused and thumb-printing documents withdrawing their complaints about the land. According to the *Phnom Penh Post*, police had told relatives of the other detainee that she would be released only “after she confesses her faults”. She was finally released late on 2 March 2010 after agreeing to withdraw the land complaint.

In light of the foregoing, we raise the following concerns:

- Firstly, by preventing the villagers from carrying out the demonstration, the police infringed the rights to freedom of expression and assembly of the villagers as guaranteed under Article 41 of the Constitution of the Kingdom of Cambodia as well as their democratic right to seek the assistance of their elected representatives;
- Secondly, by detaining the eight villagers without informing them of the reasons for their arrest the police have violated Article 97 of the Criminal Procedure Code which provides that “[w]hen a person is placed in police custody, the judicial police officer shall immediately notify their decision and the reasons to the detainee” and Article 9(2) of the International Covenant on Civil and Political Rights which provides that “anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest” and which is part of Cambodian law pursuant to Article 31 of the Constitution of the Kingdom of Cambodia;

- Thirdly, by intimidating the arrested villagers with the threat of imprisonment if they did not relinquish their claim over the land, the authorities have impermissibly taken sides in a private dispute between the parties and are guilty of blackmailing the villagers in question; and
- Finally, in deleting photographs taken legally and in a public place by human rights monitors, the police have violated the right to freedom of expression of the human rights monitors and have illegally circumvented the role of human rights monitors in a democratic society.

In light of the foregoing concerns, we call for the immediate cessation of threats of detention by the authorities involved in this case in their apparent efforts to end the claim of these villagers to the land in question. Furthermore, we call on the Royal Government of Cambodia to direct police forces throughout the Kingdom of Cambodia to protect the rights to freedom of expression and assembly of those who perceive violations of their human rights as well as the right to freedom of expression of those who seek to monitor human rights abuses and to desist from any actions which curtail these rights in a manner inconsistent with Article 41 of the Constitution of the Kingdom of Cambodia.

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