

Reporters Without Borders

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Asia - Cambodia

Convicted in absentia

Call for withdrawal of Interpol "red notice" against French journalist

1 February 2013

Reporters Without Borders deplores the seven-year prison sentence imposed in absentia on the French journalist and filmmaker **Daniel Lainé** by a Phnom Penh court on 29 January for procuring prostitutes, after he investigated human trafficking and prostitution in Cambodia.

After the verdict was issued, Interpol issued a "red notice" at the request of Phnom Penh, which effectively prevents him from working as a reporter outside France.

"This court case has all the signs of a frame-up," Reporters Without Borders said. "The charges against Daniel Lainé are based on written evidence from someone who has never appeared in court.

"The trial that led to the journalist's conviction was conducted in the greatest secrecy. The conviction itself bears no relation to the offence with which he was charged. Filming a prostitute without her knowledge has never been deemed an act of procurement.

"Daniel Lainé was summarily convicted in an infringement of his defence rights and international standards. In the light of this, we request that the conviction by the Phnom Penh City Court be quashed.

"We call for the immediate withdrawal of the Interpol red notice issued against him. How can it be that, based solely on a conviction issued in violation of defence rights by a judicial system deemed to be at the beck and call of the government, an international police organization replied favourably to Phnom Penh's request and has prevented a journalist from working abroad, by subjecting him to the risk of arrest if he leaves French territory?"

Lainé, winner of a World Press Photo award in 1991 and a filmmaker for Tony Comiti Productions, was sentenced in absentia to seven years' imprisonment for filming a prostitute without her knowledge. The court thus upheld the verdict of a trial that was held in 2010 without notifying the journalist or his lawyers.

The journalist denies the charge, which his lawyers believe is linked to a programme he made in 2003 for the French television station *TF1* exposing prostitution, sex tourism and the trafficking of women in Cambodia. The case was originally brought in 2003 by a French citizen who had originally agreed to appear in the film with his face hidden but was later said to have been recognized by his family in France.

At his request, Lainé was summoned to the interior ministry when he returned to Cambodia the following year and was forced to sign a document promising to pay the French citizen 125,000 dollars in damages or face being banned from leaving the country.

On returning to Cambodia in 2006, his passport was seized, forcing him to flee across the border into Thailand.

The journalist was originally convicted in 2010 by the Phnom Penh City Court, which informed Interpol. His lawyers, Kong Sam Onn and Clémence Witt, deplored the "enormous damage" caused by the Interpol red notice. "This notice has been issued solely on the basis of a conviction arising entirely from his work as a journalist," they said, adding that they would

immediately lodge an appeal against “this unfair decision”.

Many French journalists have expressed support for Lainé, emphasizing the risks run by photojournalists who tackle sensitive subjects. “Daniel Lainé, like most photojournalists, often has to deal with people who are untrustworthy, liars and even dangerous,” said Benoit Gysembergh, senior reporter for Paris Match.

Cases of harassment of the foreign media are not unusual in Cambodia, which is ranked 143rd in the [2013 World Press Freedom Index](#) compiled by Reporters Without Borders, a drop of 23 places compared with the previous year.

Last October, pressure was put on staff from Radio Free Asia and Voice of America over their coverage of two important recent cases — the [death of environmental activist Chut Wutty](#) and the [20-year jail term passed on radio journalist Mam Sonando](#).

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