

URGENT ACTION

OPPOSITION PARTY MEMBERS FACING TRIAL

Ten youth activists and one official from Cambodia's main opposition party have been summoned for trial on 25 December under politically motivated charges relating to a protest on 15 July 2014. If convicted, they face up to 30 years' imprisonment.

The charges relate to a demonstration organised by the Cambodia National Rescue Party (CNRP) on 15 July, which ended in violent clashes between CNRP supporters and district public order personnel. All 11 men have been charged with acts of violence and of leading or participating in "an insurrection", for which they may receive prison sentences of between seven and 30 years, with substantial fines.

Four of the men are currently being held in pre-trial detention in Prey Sar CC1 prison in Cambodia's capital Phnom Penh, where they have been since their arrests. CNRP district council member Sum Puthy was arrested on 29 September and party official Meach Sovannara on 25 October. Youth member Tep Narin and party activist Ouk Pich Samnang were arrested between 11 and 13 November. The Court of Appeal denied bail to Meach Sovannara and Ouk Pich Samnang on 12 December.

The head of the CNRP's youth wing, Khin Chamroeun, and the party's Phnom Penh youth leaders Neang Sokhun and San Kimheng were arrested on 2 August and released on bail on 22 August. Party official Oeur Narith was arrested on 16 July alongside seven CNRP members of parliament. After spending a week in prison, all eight were released on bail, apparently as a result of a political deal between the CNRP and the ruling Cambodian People's Party. Ke Khim, who also participated in the protest, and CNRP youth members An Bak Tham and San Seyhak, have also been summoned for trial in relation to the 15 July events. They are not currently detained.

Cambodia's judicial system is not independent, and politically motivated arrests and legal action are common. Fair trial rights are frequently ignored. There is an even greater risk of irregularities in a politically sensitive trial held on Christmas Day, when few international embassy and NGO observers are likely to be present.

Please write immediately in Khmer, English, French or your own language:

- Calling on the authorities to ensure that the 11 men facing trial on 25 December are treated in accordance with international human rights law and standards, including freedom from arbitrary detention, and fair trial rights;
- Demanding that those in pre-trial detention are given a fair bail hearing at which they are granted bail unless the authorities can demonstrate convincingly that no less restrictive measure can attain any legitimate aim;
- Urging the authorities to ensure the independence of the courts and an end to their use for political ends.

PLEASE SEND APPEALS BEFORE 29 JANUARY 2015 TO:

Minister of Interior and Deputy Prime

Minister

Sar Kheng

75 Norodom Blvd.

Phnom Penh, Cambodia

Fax: +855 23 426 585

Salutation: Your Excellency

Minister of Justice

Ang Vong Vathana

240, Sothearos St 3

Phnom Penh, Cambodia

Fax: +855 23 364 119

Email: moj@cambodia.gov.kh

Salutation: Your Excellency

And copies to:

Minister of Foreign Affairs and

International Cooperation

Hor Nam Hong

3, Samdech Hun Sen Street

Khan Chamcar Mon

Phnom Penh, Cambodia

Fax: +855 23 216 141

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 204/14. Further information:

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ADDITIONAL INFORMATION

The trial summons has been issued in the context of a widening crackdown on peaceful assembly in Cambodia. The week that Tep Narin and Ouk Pich Samnang were arrested also saw 10 land activists and one newly-defrocked monk arrested, swiftly tried, convicted and sentenced to one year in prison under the Traffic Law for peacefully exercising their right to freedom of assembly.

The 15 July CNRP protest and subsequent arrests and summonses took place as the ruling Cambodian People's Party (CPP) negotiated with the CNRP to reach a political agreement to end a year-long dispute over the outcome of National Assembly elections in July 2013. Agreement was finally reached on 22 July 2014, and the eight CNRP members arrested a week earlier were released on bail the same day. There has been no follow up on charges against the seven members of parliament detailed above, apparently because they have parliamentary immunity. Before their detention, Tep Narin and Meach Sovannara had previously been summonsed in relation to the 15 July events, with youth member San Seyhak. Tep Narin was arrested by local authorities after failing to report at a local Phnom Penh police station.

Ouk Pich Samnang is also facing further charges of violence, obstruction of a public official, property damage and participation in a criminal association relating to a protest by a land activist community from Preah Vihear, northern Cambodia, which took place in Phnom Penh on 20 October. The protest was violently broken up by security guards, who also beat Samnang over his head.

Amnesty International considers the legal action to be arbitrary, politically motivated and designed to silence dissent, in violation of the rights to freedom of expression and peaceful assembly as well as to freedom from arbitrary detention. The charges of leading or participating in "an insurrection" appear particularly far-fetched, which supports this conclusion.

The CNRP had held a series of overwhelmingly peaceful mass demonstrations in Phnom Penh and around the country since the disputed national election of 28 July 2013. The party refused to join the National Assembly, alleging massive election irregularities and demanding an independent investigation into the conduct of the election. Following the agreement reached on 22 July, CNRP members of parliament have taken their seats in the National Assembly.

In December 2013, striking garment workers demanding an increase to the minimum wage converged with ongoing CNRP demonstrations contesting the result of the national election. The scale of these demonstrations was unprecedented in Cambodia. But over three days from 2 January 2014, the authorities used unnecessary and excessive force – that flouted international human rights law and standards on the use of force and firearms – to put an end to the strike and to opposition assemblies, leading to serious injuries and at least four deaths. While the Cambodian authorities promised an investigation into the use of force, Amnesty International is unaware of any progress in this regard.

Name: Sum Puthy, Meach Sovannara, Tep Narin, Ouk Pich Samnang, Khin Chamroeun, Neang Sokhun, San Kimheng, Oeur Narith, San Seyhak, An Bak Tham, Ke Khim

Gender m/f: m

Further information on UA: 204/14 Index: ASA 23/010/2014 Issue Date: 18 December 2014