

Reporters Without Borders

<http://www.rsf.org/cambodge-cambodian-journalists-immediate-08-03-2013,44186.html>

Asia - Cambodia

New trial

Cambodian journalist's immediate exoneration and release demanded

8 March 2013

See below for Reporters Without Borders prison interview with Mam Sonando.

Reporters Without Borders and the Cambodian Center for Independent Media demand the immediate and unconditional release of **Mam Sonando**, owner of *Beehive* radio, whose brief trial growing out of charges of fomenting insurrection ended on 6 March.

The verdict in the case, an appeal of a lower court conviction, will be announced on 14 March.

"The principal accusers did not appear at the trial," Reporters Without Borders said. "No new evidence was presented. The continued detention of Mam Sonando is completely unjustified."

Sonando reiterated his innocence to the appeals court on 5 March. "I am a scapegoat," he said. "These charges are unjust, and I do not accept the lower court verdict."

On 1 October, 2012, Sonando was [sentenced](#) to 20 years in prison on conviction of criminal charges of inciting armed insurrection in Kratie province and usurping official functions.

In an exclusive interview with RWB, Sonando said: "Journalism does not exist in Cambodia. Journalists do not play their part honestly, because they are afraid, and bow their heads before the slightest threat. I have tried to do my work honestly, which is why I please no one...I didn't come into this world in order to please a prime minister. I do what I have the right to do under the constitution. If your rights exist and you do not exercise them, then they are useless."

During the day-and-a-half trial, the judges re-examined the veracity of the criminal charges, with the prosecutor requesting that these be dropped.

Yet the journalist still faces civil charges of fomenting opposition to government officials and opposition to legal authority. In addition, he is accused of inciting illegal de-forestation, which carries a prison sentence of 5 to 10 years. It is not clear if that sentence would be added to the term to which Sonando has already been sentenced.

The appeals trial was marked by the court's reading of an Amicus brief on Sonando's behalf by local and international press freedom organizations. The brief argued for Sonando's exoneration and release on the basis of Article 19 of the Universal Declaration of Human Rights which guarantees freedom of opinion and expression. "It is the first time a Cambodian Court takes an independent analysis into account during a trial," said Pa Ngoun Teang, director of the [Cambodia Center for Independent Media](#). "While it can be a good sign for the case, there are still charges against Mam Sonando but no proof of them. The Court should exonerate him and release him."

Sa Sovan, one of Sonando's lawyers, told RWB: "The lower court verdict cannot be sustained. My client is not guilty of incitation. After the appeals trial, he must be acquitted and released. Any other result would be an injustice."

Dinn Phanara, Sonando's wife, told RWB that she remains hopeful, because the appeals judges appeared to take defence arguments seriously.

However, Ou Virak, director of the Cambodian Center for Human Rights, expressed concern that the court could decide to make an example of Sonando for all defenders of property rights in Cambodia. "The authorities are trying to rule by fear," he said. "This is the policy of the prime minister, in response to the approaching legislative elections of July 2013, as well as international pressure."

Reporters Without Borders interviewed Sonando on 4 March, before his appeals trial began.

RWB: *What is role in the Democrats Association?*

Sonando: I am letting all Cambodians I meet about their fundamental freedoms and the Cambodian constitution. I often use this metaphor to explain the importance of protecting their rights – everyone needs air to breathe. If someone takes it away from you, what do you have left? It is the same for our rights. Most Cambodians are Buddhists, so respect for others and non-violence permeate the culture. When I go to the countryside, I also distribute medicine, because people there often have no access to anything with which to care for themselves.

What are the conditions of your imprisonment

As far as my health is concerned, I am doing quite well for a 71-year-old man! I feel good, but my imprisonment is illegitimate. I receive my family visits, so I would say that I am content. At my stage of life, food and entertainment are not important. I only think of Cambodians, who are in steady decline from generation to generation. I think of our leaders, who are not up to the level required of them. When I leave prison, I will have the same determination to defend democracy and human rights. Even in prison, I continue to work on behalf of society. In late February, we organized a fund-raising campaign to build a school in Kampong Cham province. Even though I am in prison, people stay organized and show solidarity.

Do you have confidence in your country's justice system?

I know that Prime Minister Hun Sen is not pleased by my activities. But I have decided to face his criticism. I will not hide myself, and I don't like to be hit from behind. I wouldn't even be interested in meeting him. If it were to happen, it would simply be a nice surprise for many Cambodians. What the justice system does to me is not up to me to decide. All I can do as a result of being sentenced to 20 to 30 years is to set a good example to Cambodians. My strength comes from the fact that I cannot be bought. The only temptation I feel is to do good for human beings. It is tragic that those in power are destroying the country.

I changed my defence team and I now have three good lawyers who are fighting over real issues of law and rights. This is not common. In most cases, a lawyer holds a financial negotiation with the judge. But my lawyers have even read my case file! Whether I leave prison or stay here is no longer the issue. I will still fight for justice in Cambodia and to defend myself. But above all I don't want to count the days!

What role should the international community play in Cambodia?

After the fall of the Pol Pot regime, Cambodians were desperate and lost. That is when their desire for democracy grew. As time passed, their knowledge of the idea evolved, and Cambodians have grown aware of the positive characteristics of the concept, which they had not fully understood. So they started to pay attention to the big democratic countries, such as France and the United States. As a result, if the international community does not help them, who will do it? It is time for the fathers of democracy to see how the grandchildren are faring....

What is your assessment of Cambodian journalism?

Journalism does not exist in Cambodia. Journalists do not play their part honestly, because they are afraid, and bow their heads before the slightest threat. I have tried to do my work honestly, which is why I please no one...I didn't come into this world in order to please a prime minister. I do what I have the right to do under the constitution. If your rights exist and you do not exercise them, then they are useless."

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