

CAMBODIA'S JUDICIAL SYSTEM; THE WEAPON OF CHOICE

August – October 2012

Mam Sonando Trial

As reported in LC's August 2012 newsletter, Mam Sonando was [charged](#) with crimes related to participating in an "insurrectionary movement". The Prime Minister called for the arrest 24 hours after Sonando's independent station Beehive Radio broadcast on a filing at the International Criminal Court (ICC) accusing Cambodian government officials of crimes against humanity in relation to the country's land conflicts.

Sonando's 4-day trial began on September 11. Massive police forces blocked all access to the Municipal Court while associations, unions, communities, media, and local and international NGOs gathered at the barricades. Court monitors reported that the trial failed to reveal any credible evidence and that witness testimonies against Sonando were hearsay.



Sonando has many strong supporters

Viscous Verdict

The verdict came on October 1, 2012. Sonando was condemned by the Phnom Penh Municipal Court's with a shocking conviction, and a draconian 20-year sentence. Four other Kratie residents also received harsh sentencing, one in absentia. Interestingly the verdict date was set for four days after international donors met with the Cambodia government to discuss Cambodia's development.

"We, the undersigned civil society organizations, condemn the Phnom Penh Municipal Court's shocking conviction of independent radio station owner Mam Sonando today, and the draconian 20-year sentence that he received. At age 70, Sonando is likely to die in prison if he serves his full term." - [Joint press release](#)



Praying and calling for justice

NGO Staff Also Targeted

On August 1, the Prime Minister called for Chan Soveth of ADHOC (The Cambodian Human Rights & Development Association) to come forward and 'confess' to helping a 'fugitive'. By August 9, Soveth was [formally accused](#) of helping a 'perpetrator' evade justice.

Authorities assert that the perpetrator was part of the same 'insurrectionary movement' cited in the charges against Mam Sonando. As with Sonando's case, authorities have failed to present any evidence of the secession movement beyond blanket accusations and hearsay testimonies.

Soveth's assistance to a victim of land grabbing falls firmly within his organisation's mandate. If convicted, he faces one to three years' imprisonment. This is yet another blow to human rights defenders and NGO staff who risk their lives to assist victims of human rights abuses.



Children are also aware that money comes before justice in Cambodia

More Female Activists Arrested on Dubious Charges

During the first days of September, the Phnom Penh Municipal Court ordered the [pre-trial detention](#) of Yorm Bopha from Boeung Kak Lake (BKL) community and Tim Sakmony from Borei Keila (BK) community.

Bopha

Well known community activist Yorm Bopha was detained under charges of ‘intentional violence with aggravating circumstances’ under Article 218 of the Cambodian Penal Code in relation to a suspected thief who was allegedly assaulted. BKL community spokesperson Tep Vanny said that “Bopha’s arrest is an obvious attempt to threaten people over their recent calls for the demarcation of 12.44 hectares of land that the Prime Minister Hun Sen pledged to us over a year ago.”

Sakmony

Tim Sakmony, a prominent representative of evicted families from Borei Keila, was also arrested and detained in CC2 prison, charged with making a ‘false declaration’ under Article 633 of the Penal Code.

The complaint against Sakmony was filed by Phanimex company owner Suy Sophan. Phanimex was awarded Borei Keila community’s land in exchange for a promise to build 10 apartment buildings for the current residents. The company decided, however, to build only eight buildings, which led to the ongoing land dispute.

The complaint claims that Sakmony made the alleged ‘false declaration’ in an attempt to secure an apartment for her 49-year old disabled son, a resident of the community. Her son, a widower and former soldier who suffers from partial paralysis and cannot speak, is entitled to an apartment in the buildings under the law.

BK and BKL communities continue to campaign for the release of the two women through marching, songs, press statement, vigils, demonstrating, creative actions, and submission of petitions to City Hall, the EU residence, all relevant Ministries, the World Bank and the US, Japanese, German, Australian, British and French embassies.

LC continues to document, monitor, support and advocate for and in close solidarity with both communities. Further updates will be posted in LC November/December newsletter.

Remaining Free Radio Stations Also on the Chop Block

Cambodia’s Council of Ministers and Ministry of Interior [summoned](#) Radio Free Asia and Voice of America representatives to closed door meeting on October 10 “to discuss the cooperation between the Cambodian government and foreign media, and the mission of the foreign radio broadcasts”.

Radio Free Asia responded the next day saying, “this meeting was nothing more than a blatant attempt to discourage objective reporting on the government.”

According to an Al Jazeera [article](#), both stations say that despite the intimidation, it will be reporting as usual and will continue to stand by the journalistic ethics.



Bopha was a leader during the Free the 15! Stop the Violence! Campaign



Sakmony has been on the front lines of her community dispute

“The Cambodian government clearly does not understand the principles of a free press or the important role of independent media if it thinks it can intimidate RFA and dictate what we can or cannot report on.” – Radio Free Asia

Venerable Sovath Laureate for Prestigious Martin Ennals Award

[Venerable Loun Sovath](#) was awarded the 2012 [Martin Ennals Award](#) for Human Rights Defenders on October 2, becoming the first Cambodian, the first monk, and the first Southeast Asian to win the prestigious honour. The award, known colloquially as the “Nobel Prize for human rights”, was created in 1993 to honour and protect individuals who demonstrate exceptional courage in defending and promoting human rights.

“He is the rare monk who is willing to use his standing as a religious authority figure to speak out against injustices in Cambodia,” Dr. [Pung Chhiv Kek](#) said. “And he is speaking out on the most pressing issue of our time: Land.”

Venerable Sovath has been threatened, detained and harassed by authorities repeatedly along the way. Authorities threaten to defrock and criminally charge him unless he ceased his human rights activities. He refuses.

“[...] the government must stop using the judicial system to oppress and wrongly accuse human rights defenders, and must stop using violence in Cambodia. On behalf of all Cambodian human rights defenders, I ask the government to properly implement liberal democracy and respect human rights. This is what the Cambodian people hunger for.”

– Excerpt of Ven. Sovath’s speech at Martin Ennals Award

WITNESS Releases New Video on Forced Evictions

Check out new WITNESS’s new video “[People Before Profit](#)”; a riveting short film which reveals the shocking similarities of forced evictions worldwide using video evidence from WITNESS partners around the world.

The 11min film is available in six languages. Cambodian communities, Venerable Sovath and LICADHO’s President Dr. Pung Chhiv Kek feature in the film as voices for Cambodia.

You Can Help Too!

Educate, advocate and/or donate. These are the best ways to support Cambodians struggling for rights and justice at this time.

LC has a super cool list of partners; donate to your area of interest (unions, students groups, communities, HR groups/LICADHO), sign up for their/our newsletters, participate in petitions, ‘like’ LICADHO’s [Facebook](#) page, follow us on [Twitter](#), spread the word back at your office, write me a letter, visit LC’s website, watch our [videos](#).

There is so much YOU can do to show Cambodia that you are paying attention.

www.licadho-cambodia.org

www.licadhocanada.com



Venerable Sovath arrives in Geneva



Venerable receives the MEA award



LICADHO President Dr. Pung Chhiv Kek speaking on People Before Profit video. Kek started LICADHO 20 years ago.

