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CAMBODIA: RELEASE PRISONERS OF CONSCIENCE KONG RAIYA AND SOUNG NEAKPAON

The Cambodian authorities must immediately and unconditionally release two youth activists who have been arbitrarily detained since July for attempting to peacefully commemorate the murder of a popular government critic, Amnesty International said today.

Both Kong Raiya and Soung Neakpaon are currently being held at Phnom Penh's CC1 prison on charges of "incitement to commit a felony."

Tomorrow the Supreme Court will hear Kong Raiya's final appeal against the denial of his bail application, which was initially refused by the Phnom Penh Municipal Court along with Soung Neakpaon's bail application on 24 July 2019, contrary to both men's right to liberty. This denial was upheld by the Appeal Court on 13 August 2019. Soung Neakpaon's bail appeal will be heard by the Supreme Court on 15 November.

Both men were detained solely for peacefully exercising their right to freedom of expression, as guaranteed under the Cambodian constitution and international human rights law. As prisoners of conscience, Amnesty International calls for both men to be immediately and unconditionally released and for the bogus charges against them to be dropped.

Kong Raiya, age 28, was arrested at his home along with his 6-month-old child, his wife, and two siblings on 9 July 2019 after he had advertised the sale of commemorative t-shirts bearing the image of the murdered government critic Kem Ley on Facebook. His family members were released the next day after signing written promises to "respect the law."

Soung Neakpaon, age 29, was arrested on 10 January 2019 during a peaceful gathering at the Phnom Penh café where Kem Ley was murdered exactly three years earlier. Shortly before his arrest, Soung Neakpaon was seen holding a placard stating, "end extrajudicial killings."

Since their arrest, Kong Raiya and Soung Neakpaon have been detained in conditions which have further violated their human rights. Both men are being held in severely overcrowded 4x5 meter jail cells in CC1 prison. Kong Raiya's cell is currently holding 27 prisoners, leaving less than 0.75 square meters per prisoner. Soung Neakpaon's cell is similarly overcrowded, holding 24 prisoners. These conditions led Kong Raiya to undertake a four-day hunger strike calling for improved detention conditions soon after he was detained. Both men are restricted to these overcrowded cells for 23 hours per day, with serious implications for their physical and mental health.

BACKGROUND

The popular political analyst and vocal government critic Kem Ley was shot dead on 10 July 2016 while drinking coffee at the Caltex Bokor service station in Phnom Penh. The murder occurred soon after Kem Ley publicly spoke out about a Global Witness report that revealed the enormous wealth of the family of Cambodian Prime Minister Hun Sen. Hundreds of thousands of Cambodians attended Kem Ley's funeral procession in what was the largest public gathering Cambodia had witnessed for several years.

A man who called himself Chuob Samlap ("*meet to kill*" in English), and whose real name is Oeuth Ang, was convicted of Kem Ley's murder on 23 March 2017 in a trial widely decried as failing to meet international fair trial standards. Following the trial, Amnesty International joined other human rights groups in calling for further investigation into the murder, and highlighted eight major flaws with the trial and investigation.¹ In the three years that have since elapsed, no notable progress has been made in respect of the investigation.

Prior to the three-year anniversary of the murder in July 2019, independent activists and supporters of Kem Ley sought to organise events to honour his memory, and to renew calls for an independent investigation into his death. Commemorative events throughout Cambodia were restricted by police and local authorities.

Kong Raiya has previously served an 18-month prison sentence for “incitement to commit a felony” in relation to a Facebook post he made as a university student in 2015. Soung Neakpaon was one of four youths detained by the Cambodian police in March 2017 for attempting to hold a private screening of an Al Jazeera documentary about Kem Ley, which suggested potential official collusion in the murder.

ⁱ <https://www.amnesty.org/download/Documents/ASA2359442017ENGLISH.pdf>