

CAMBODIA

ARREST OF RADIO STATION
OWNER ANOTHER
DANGEROUS BLOW TO
FREEDOM OF EXPRESSION

Amnesty International Publications

First published in 2012 by
Amnesty International Publications
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org

© Amnesty International Publications 2012

Index: ASA 23/014/2012
Original Language: English
Printed by Amnesty International, International Secretariat, United Kingdom

All rights reserved. This publication is copyright, but may be reproduced by any method without fee for advocacy, campaigning and teaching purposes, but not for resale. The copyright holders request that all such use be registered with them for impact assessment purposes. For copying in any other circumstances, or for reuse in other publications, or for translation or adaptation, prior written permission must be obtained from the publishers, and a fee may be payable. To request permission, or for any other inquiries, please contact copyright@amnesty.org

Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

**AMNESTY
INTERNATIONAL**



ARREST OF RADIO STATION OWNER ANOTHER DANGEROUS BLOW TO FREEDOM OF EXPRESSION IN CAMBODIA¹

On 15 July 2012, police arrested 71-year-old Mam Sonando at his home in Cambodia's capital Phnom Penh. He is now in pre-trial detention in Phnom Penh's Prey Sar prison, and faces a number of charges that carry hefty prison sentences under Cambodia's penal code, including "insurrection" and "inciting people to take up arms against the authorities".

A prominent journalist, Mam Sonando is the owner of Beehive radio station, one of few independent radio stations that broadcast programs critical of the Cambodian government and give airtime to opposition parties. He is also the president of the Association of Democrats, a popular non-governmental organization that promotes human rights and democracy.

Members of the Association of Democrats holding photos of Mam Sonando outside Phnom Penh Municipal Court on 16 July 2012 while he was being questioned. © LICADHO.



Mam Sonando's arrest followed a speech by Cambodia's Prime Minister on 26 June, in which he accused the radio station owner and members of the Association of Democrats of being behind a plot for a village in Kratie province to secede from Cambodia and become an independent state. Authorities had used this alleged secessionist plot as a pretext for the violent eviction in mid-May of around 1,000 families living in that village, when security forces shot dead a 14-year-old girl.

But allegations of a secessionist plot seem far-fetched, and Mam Sonando's arrest appears to have more to do with the popularity of his non-governmental organization and his radio broadcasts. He has been arrested and detained for his broadcasts previously, in 2003 and again in 2005. And the Prime Minister's 26 June speech came soon after Mam Sonando's

radio station broadcast a report about a complaint lodged at the International Criminal Court. The complaint reportedly accuses the Cambodian government of committing crimes against humanity by forcibly displacing thousands of people through forced evictions.

At a time when the Cambodian people are increasingly speaking out, Mam Sonando's arrest marks an alarming crackdown on freedom of expression in Cambodia. Amnesty International considers him to be a prisoner of conscience – arrested and detained solely for the peaceful exercise of his right to freedom of expression – and is calling for his immediate and unconditional release.

CAMBODIANS SPEAKING OUT

The right to freedom of expression is protected under Cambodia's Constitution and in the International Covenant on Civil and Political Rights, which Cambodia has ratified and is part of domestic law by virtue of the Constitution.

In recent years, Cambodians have been increasingly eager to exercise this right, seemingly for a number of reasons.

First, while hard to measure, people seem less frightened. With around 70 percent of the population under the age of 30, young Cambodians have little or no memory of the horrors of the Khmer Rouge period, the civil war that followed and even the political violence of the 1990s. Government warnings that change could usher in a return to the past have less resonance.

Second, the level of inequality is stark. The ruling Cambodian People's Party has overseen impressive economic growth, of around 8 percent per year between 2001 and 2010. With help from foreign donors, there has been a dramatic decline in poverty levels and significant improvements in the provision of health and primary education. But income disparities between rich and poor, and the gap between urban and rural areas are growing. Exacerbated by corruption, the disparities are becoming more obvious.

Third, Cambodia has a serious and increasingly well-publicized land problem. In no other area is the inequality between rich and poor more startling. Hundreds of thousands of people have been adversely affected by forced evictions and land disputes, as powerful private interests have grabbed land throughout the country. Estimates by local NGOs indicate that 420,000 people have been affected in areas covering approximately half of the country monitored since 2003. Families are left without homes and without access to jobs and services, including healthcare and education.

Affected communities are increasingly taking action to save their homes and land. The general population is more aware of the issue, with the few independent radio stations broadcasting reports and phone-ins on the subject. And the Cambodian government itself seems to recognise the magnitude of the problem, having recently suspended the granting of economic land concessions to companies, a root cause of forced evictions.

Fourth, new communications technologies are improving the flow of information and awareness about such social and economic injustices. Independent radio stations continue to play an important role in this regard, including Mam Sonando's Beehive radio station. And

mobile phones and the internet are increasingly important for sharing information and bypassing the mainstream media, which is either controlled by the ruling party or exercises strict self-censorship. For example, rural communities affected by land disputes are now able to share ideas and coordinate joint action through cheap mobile phone calls and text messaging. And while internet penetration in the country is still low, estimated at around 700,000 of a population of around 14.5 million, more and more Cambodian bloggers ('cloggers') are writing about sensitive issues, while citizen journalism is on the rise.

People are increasingly turning to public protests to defend their rights and interests, as they are unable to rely on the country's law enforcement and judicial system to resolve disputes. According to the Cambodian Human Rights and Development Association (ADHOC), in 2011 there were 256 protests throughout Cambodia, compared to 183 in 2010.

Civil society has become more diverse, widespread and vibrant, as Cambodians are seeking more of a say in the development of their country. Informal people's groups have emerged in some parts of the country, often in the context of land conflicts or the destruction of natural resources. Constituent or membership groups – such as those representing farmers and fishermen – have also strengthened. And longer-standing NGOs are providing training, technical support and assistance to these groups, as well as networking opportunities.

These diverse civil society groups are joining together in informal networks, sharing ideas and tactics, and supporting each other and the communities with which they work. Higher profile examples include networks developed to protect Prey Lang forest in northern Cambodia; and the collection of groups, from established NGOs to communities facing forced eviction, which have rallied to support the people at Phnom Penh's Boeung Kak Lake in their campaign against forced eviction.

Meanwhile, Cambodia's trade union movement remains well organised and active. Garment workers are taking to the streets and demonstrating at their factories to demand improved pay and benefits, as inflation means their wages are not enough to live on.

CRACKDOWN ON FREEDOM OF EXPRESSION

While Cambodian people are increasingly speaking out, demonstrating their desire for inequalities and abuses to be addressed and for economic development to be more equal, there is little evidence of a coordinated movement of dissent.

But Cambodia's Prime Minister has spoken out against unlikely predictions of a 'Cambodian spring' to follow events in the Middle East and North Africa. And this year has seen a crackdown on freedom of expression, marked most recently by Mam Sonando's arrest.

It is unclear whether the Cambodian government is entirely responsible for directing this repression, or whether it is failing to protect its people from local authorities and powerful private interests operating with impunity.

But what is clear, is that in the first half of 2012, Cambodians daring to speak out – particularly those taking action to save their communities' homes and land – have increasingly faced harassment, legal action, and violence.

In January, military personnel acting as security guards for a private company shot at villagers defending their farmland in Kratie province's Snuol district.

In February, the town governor shot into a group of garment workers demonstrating for improved working conditions at a footwear factory in Svay Rieng's Bavet town. Three women were injured.

In April, military police shot dead prominent environment activist Chut Wutty in Koh Kong province, while he was researching illegal logging with two journalists.

As mentioned above, in mid-May, security forces shot dead a young girl during the forced eviction of a village in Kratie province. The community there had been involved in a long-running land dispute with a rubber company, and had been asking for title to the land on which they lived.

In late May, the Phnom Penh Municipal Court sentenced 13 women community representatives from the capital's Boeung Kak Lake to two-and-a-half years in prison, after they had been peacefully demonstrating in support of those whose homes had been destroyed in the forced eviction of their community. They were released on 27 June, with their sentences suspended on appeal, after a sustained campaign by their community and support from local and international groups.

On the day of the 13 women's trial in May, plain-clothed men manhandled human rights defender and Buddhist monk Venerable Luon Sovath – shortlisted for the Martin Ennals Award for human rights defenders – bundled him into a car and held him incommunicado for 10 hours before releasing him.

In early July, police in Phnom Penh beat trade union representative Rong Panha with electric batons, leaving him bleeding on the ground. He was detained but released later the same day. He had been protesting with garment workers for improved benefits and pay.

Amnesty International continues to receive reports of insidious harassment against those speaking out, including meetings and events organised by civil society groups being prohibited, and community leaders being followed and filmed. Recent reports indicate that the government is now considering a new cyber law to prevent "ill-willed people ... from spreading false information", which in the current context is understandably causing concern.

And the political atmosphere is also disturbing. The Committee for Free and Fair Elections in Cambodia (COMFREL) reported unexplained deaths of three opposition activists and death threats against another during the recent commune elections in June 2012. The Cambodian Center for Human Rights (CCHR) condemned the Ministry of Information's ban on foreign radio programs around those elections. Meanwhile, Sam Rainsy – the leader of the main opposition party and the Democratic Movement for National Rescue, the new merger between the two largest opposition parties – remains abroad to avoid serving a long prison sentence for politically motivated convictions that followed unfair trials in absentia.

A RISKY POLICY

Amnesty International and others have highlighted the consequences of this crackdown on freedom of expression for the Cambodian government's international reputation, at a time when Cambodia chairs the Association of Southeast Asian Nations (ASEAN), lobbies for a non-permanent seat on the United Nations Security Council and continues to rely heavily on development aid.

But the crackdown also jeopardizes the government's reputation at home. The wave of repression is raising questions about the government's will – or capacity – to protect the human rights and dignity of Cambodians.

It is in the Cambodian government's interests therefore to halt the crackdown on freedom of expression. It should listen to its people and develop a more constructive relationship with Cambodia's increasingly diverse civil society, embracing it as an asset and dynamic force to contribute to the more equal and sustainable development of the country, including the full realization of human rights. And it should begin by ordering the immediate and unconditional release of Mam Sonando.

¹ This report was printed as an opinion piece in Asia Times online under the title, Stifled voices in Cambodia, on 4 August 2012, see: http://atimes.com/atimes/Southeast_Asia/NH04Ae01.html.

**AMNESTY
INTERNATIONAL**



www.amnesty.org