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Cambodia: Convictions of activists demonstrate dire state of justice

The fabricated charges used to convict two housing rights activists in Phnom Penh's Municipal Court confirms the dire state of Cambodia's justice system and rule of law in the country, Amnesty International said today.

This morning, Yorm Bopha was sentenced to three years imprisonment for 'intentional violence', while late yesterday Tim Sakmony was found guilty of making a false declaration and given a suspended prison sentence. The charges in both cases are fabricated and no credible evidence was presented at their trials.

"These shocking verdicts show why Cambodians have good reason not to trust their courts," said Rupert Abbott, Amnesty International's researcher on Cambodia.

"Amnesty International has designated Tim Sakmony and Yorm Bopha as prisoners of conscience. They are being persecuted purely for their work defending the rights of those in their communities who have lost their houses through forced evictions."

Yorm Bopha has actively defended the right to housing for her community at Phnom Penh's former Boeung Kak Lake, where some 20,000 people have been forcibly evicted since 2008. Tim Sakmony protested the violent forced eviction of 300 families in her community in Phnom Penh's Borei Keila in January 2012 and called for provision of the alternative housing promised to them.

Cambodian justice experienced another setback today when the Appeals Court upheld the 20-year sentences of Born Samnang and Sok Sam Ourn who were convicted for the killing of trade union leader Cha Vichea in 2004 based on forced confessions.

"It is baffling how the Appeal Court could have arrived at its verdict in the Chea Vichea case given the lack of any new evidence and the fact that both of the accused have credible alibis," said Abbott.

"The forced confession and intimidation of witnesses are indicative of a deeply flawed criminal investigation."

"It is a travesty that these two men face a further 15 years in prison for a crime they did not commit, while the killers of Chea Vichea are still free."

The three verdicts delivered in the past 24 hours come at the end of a terrible year for justice in Cambodia.

Just last week charges were inexplicably dropped against the former governor of Bavet town in Svay Rieng province, accused of injuring three women factory workers in a shooting in February.

An investigation into the killing of prominent environmental activist Chut Wutty in April was dropped two months ago; while there has been no investigation into the killing of a 14-year-old girl by security officials in Pro Ma village, Kratie province, in May.

Meanwhile, prominent journalist and radio station owner Mam Sonando, a prisoner of conscience sentenced to 20 years' imprisonment in October on baseless allegations of "secession", is in jail waiting for his appeal trial hearing to be scheduled.

“Contrary to upholding the rule of law, the Cambodian courts have been piling one injustice on top of another and ensuring that impunity rules,” said Abbott.

“Pressure from development partners and strong, urgent action by Cambodia’s government is needed to end this mockery of justice.”