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Cambodia: Freedom of expression under attack

(New York and London, February 11, 2003) - Human Rights Watch and Amnesty International today expressed concern about the impact of the arrests of two journalists in Cambodia on the country's climate for free expression.

The arrests of journalists Mom Sonando and In Chan Sivutha and the closure of Cambodia's only independent radio station set an ominous tone for national elections scheduled for July 2003, the two organizations said.

"Attempts to silence free speech and opinion do not bode well for free and fair elections later this year," Amnesty International and Human Rights Watch said.

Mom Sonando, owner of Sambok Kmum (Beehive) radio station, and In Chan Sivutha, editor of Rasmei Angkor (Light of Angkor) newspaper, were arrested on 30 and 31 January respectively on charges of inciting riots against the Royal Thai Embassy and Thai businesses in the Cambodian capital on 29 January. Their arrests took place after anti-Thai riots broke out in Phnom Penh, sparked by reports that a Thai movie actress had demanded that Cambodia return the Angkor Wat temple complex to Thailand.

The international rights organizations condemned the violent attacks by mobs against Thai nationals, Cambodian law enforcement officers and innocent bystanders, and deplored the wanton destruction of the Royal Thai embassy and Thai businesses in Phnom Penh. Any prosecutions should be carried out with appropriate legal safeguards and due process in accordance with international standards.

The two journalists, who were arrested without warrants, have been charged with "incitement leading to commission of a crime," "incitement to discrimination," and "disinformation" under articles 59, 61 and 62 of Cambodia's penal code. They face up to ten years in prison if found guilty.

In Chan Sivutha is accused of publishing unchecked rumours on 18 January, detailing comments allegedly made by the Thai actress. Her alleged comments were then repeated two weeks later by other Cambodian newspapers and the Cambodian Prime Minister himself in a speech broadcast on national radio on 27 January, shortly before the anti-Thai riots erupted.

On 29 January, the Thai embassy in Phnom Penh was attacked and set alight by the mobs. Shortly afterwards, in a phone-in program, Beehive Radio broadcast calls to the station recounting rumours, later to be proved unfounded, of the deaths of Cambodian nationals outside the Cambodian embassy in Bangkok.

The organizations noted that while the journalists have been singled out, little attention has been paid to inflammatory remarks by officials just prior to the protests.

The two organizations expressed concerns that the Beehive radio station has effectively been shut down since Sonando's arrest. On 29 January, police and gendarmerie closed the station on the orders of an unnamed superior. The following morning, shortly after Beehive radio resumed broadcasting, government officials effectively assumed control over the station. The officials, from Cambodian National Radio, accompanied by armed police officers, instructed the staff to broadcast only the Prime Minister's statement or music. Members of the elite police force, the Flying Tigers, and undercover policemen were stationed outside the station. On 31 January, fearing for their security, Beehive radio staff closed down the station.

"We are concerned that Mom Sonando's arrest was intended to shut down his radio station in the run-up to the upcoming elections. It is virtually the only independent voice in Cambodian broadcasting, which is otherwise controlled by the government," the organizations said.

"We fear that other government critics, particularly opposition party members and independent journalists, may also be targeted for arrest."

During the last year, opposition journalists and independent media in Cambodia have become increasingly subject to threats, closure and arrests of staff. In October 2002 the Ministry of Information ordered the Beehive Radio to stop re-broadcasting Khmer-language news from the Voice of America and Radio Free Asia. Since 1992 there have been numerous cases of intimidation, harassment and physical attacks against independent media, including the unlawful killing of several journalists where the perpetrators have never been brought to justice. This pattern of suppression of freedom of expression threatens good governance and effective democracy in Cambodia.

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