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Cambodia: Human rights defenders silenced through the legal system

Rich and powerful individuals and groups involved in land disputes in Cambodia are increasingly using their power to silence opponents through the criminal justice system, said Amnesty International today, as it called for greater protection for human rights defenders.

In the briefing paper 'A risky business - defending the right to housing', Amnesty International provides examples of abuses of human rights defenders working for the promotion of land rights and against forced evictions in Cambodia in the last two years.

Informal village leader Chhea Ny, released in December 2007 after 16 months in prison, told Amnesty International: "I was chained and held in a dark prison cell for one week. I was so miserable. And I was not allowed to wash. After one week they removed the chain from my legs. When they took off the chain they let me stay outside in daylight, and they offered an apology; they said they had made a mistake and [punished] the wrong man." He had been arrested in August 2006 over a long-standing land dispute with local officials, business people and high-ranking military in Boeung Pram village, in Battambang province.

"His case is a blatant example of what happens when the legal system fails to protect human rights and to serve justice," said Brittis Edman, Amnesty International's Cambodia Researcher.

According to local human rights groups, over the past two years the number of land activists arrested has practically doubled from 78 in 2006 to 149 in 2007. This rise corresponds with an increase in the number of reports alleging that police have unfairly arrested land activists; prosecutors have pressed groundless criminal charges against them; and law enforcement and court officials have threatened people protesting against forced evictions with arrest or imprisonment.

"The rapid increase in the number of peaceful land activists in prison is a serious concern in its own right. But every imprisoned human rights defender becomes a tool for intimidation of other activists, demonstrating that detention, trials and imprisonment are a real threat," said Brittis Edman.

"The Cambodian authorities must ensure that the legal system fairly protects all parties involved in land disputes and protecting human rights, and must investigate allegations of intimidation and unlawful arrests of human rights defenders."

Background

Attacks against such activists violate international human rights law provisions guaranteeing the rights to freedom of expression, association and assembly and the right to participate in public life. They run counter to the UN Declaration on Human Rights Defenders, which reflects and details these rights. In many cases,

other rights of human rights defenders have been violated, including the right to equality before the courts and freedom from arbitrary arrest and detention.

In 2008, some 150,000 Cambodians were known to live at risk of being forcibly evicted in the wake of land disputes, land grabbing, and agro-industrial and urban redevelopment projects. Tens of thousands have already been forcibly evicted in recent years, many left homeless, others relocated to inadequate resettlement sites with poor infrastructure, lacking basic amenities including sanitation, and with limited access to work opportunities.

In a [report released in February 2008](#), Amnesty International showed how the Cambodian authorities are failing to protect - in law and practice - the population against forced evictions. By contrast, those with political or economic power are allowed to act with impunity in arbitrarily expropriating land. They do so by colluding with local authorities in ways that lead to the issuing of dubious land titles and eviction orders, and the misuse of the court system to prevent victims from acting to defend their rights.