

# URGENT ACTION

## HEAD OF DISSOLVED MAIN OPPOSITION PARTY JAILED

**On 3 September, Kem Sokha, president of the dissolved main opposition party, was arrested at his house in Tuol Kork district in Phnom Penh, on politically motivated accusations of treason. If convicted he faces up to 30 years in prison. He has been denied bail.**

On 3 September, at 12:30 am, **Kem Sokha**, member of parliament and president of then still existing main opposition party, the Cambodia National Rescue Party (CNRP), was arrested by eight members of Prime Minister Hun Sen's bodyguard unit and 100 police officers at his house in Tuol Kork district in Phnom Penh, Cambodia's capital. On 4 September, the Investigating Judge of Phnom Penh's First Instance Court ordered his pre-trial detention at "Correctional Centre 3" (CC3) in Tbong Khmum province, where he remains held, while conducting an investigation into allegations of "colluding with a foreign power" (Article 443 of the Cambodian Criminal Code). The ruling party-dominated National Assembly stripped him of parliamentary immunity on 11 September, paving the way for criminal prosecution. If found guilty Kem Sokha faces up to 30 years in prison. On 31 October, the Supreme Court denied bail on final appeal. On 24 November and 14 December, the investigating judge, and with respect to the latter date, accompanied by two Deputy Prosecutors, questioned Kem Sokha.

Kem Sokha has serious health concerns that require regular medical attention. Since his detention more than three months ago, a doctor has only treated Kem Sokha once and his wife was only recently permitted to provide him with his medication. His lawyers' documents are checked when meeting with their client and it is suspected their conversations are videotaped and most likely listened to by prison guards present in the room. Other visitors have been denied access. Kem Sokha is prevented from contacting other detainees.

The arrest of Kem Sokha comes in the context of attempts to diminish and dismantle Cambodia's main political opposition ahead of the general elections scheduled for 29 July 2018. The CNRP was dissolved on 16 November and 118 officials, including members of parliament, were banned from political activities for five years.

### **Please write immediately in English and Khmer or your own language:**

- Calling on the authorities to immediately and unconditionally release Kem Sokha, detained in violation of his rights to freedom of expression, association and peaceful assembly, and to not pursue any criminal charges against him if they relate solely to the peaceful exercise of his rights to freedom of expression, association and assembly;
- Urging that, pending his release, Kem Sokha has unrestricted and confidential access to his lawyers, family and any necessary medical care;
- Calling on the authorities to ensure that all political activists in Cambodia are able to peacefully exercise their right to freedom of expression, association and peaceful assembly without risk of arrest and harassment.

### **PLEASE SEND APPEALS BEFORE 1 FEBRUARY 2018 TO:**

Minister of the Interior and Deputy Prime

Minister

Sar Kheng

75 Norodom Blvd

Khan Chamkarmon

Phnom Penh, Cambodia

Fax: +855 23 426 585

**Salutation: Your Excellency**

Prime Minister

Samdech Hun Sen

Office of the Prime Minister

Jok Dimitrov Boulevard Phnom Penh,

Cambodia

Fax: +855 23 360 666 / +855 23 880

624(c/o Council of Ministers)

**Salutation: Your Excellency**

**And copies to:**

Minister of Foreign Affairs and

International Cooperation

Prak Sokhonn

No. 3 Samdech Hun Sen Street Khan

Chamcar Mon

Phnom Penh, Cambodia

Fax: + 855 23 216 141

**Salutation: Your Excellency**

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below.**

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

The case against Kem Sokha is based on a video recording of a speech he gave in Australia in 2013, in which he declares to have received advice from the U.S. Government on how to build a peaceful Cambodian grassroots movement.

In the months following the Commune Council Election in June, and ahead of next year's general election, the ruling party has committed a series of seemingly blatant acts of political repression against the main political opposition party, the CNRP, including arrests and prosecutions against its members on trumped up conspiracy charges, forcing more than half of CNRP's lawmakers to flee the country, out of fear of arrest.

On 6 October 2017, the Ministry of Interior (Mol) filed a complaint with the Supreme Court requesting it dissolve the CNRP, on the basis that it had allegedly violated the Law on Political Parties through acts of a purported opposition-led "colour revolution" steered at overthrowing the current government. The CNRP allegedly had "conspired with foreign powers" with the alleged assistance of the U.S. Government and in collusion with civil society. On 16 November 2017, after a three-hour hearing, which was boycotted by the lawyers representing the CNRP, the Supreme Court, presided by a judge that is known to have close ties to Prime Minister Hun Sen and is a member of high level committees of the ruling party, decided to dissolve the CNRP. Lawyers representing the Mol argued, without presenting any evidence, that the CNRP was part of a U.S.-funded plot to topple the government before next year's election. The Mol's lawyers also accused several key civil society members of being "accomplices" to the CNRP.

In the weeks leading up to and the day of the Supreme Court's hearing, the ruling party threatened anyone protesting against the CNRP's dissolution with violence or legal action, which came with an increased presence of heavily armed security and military forces around Phnom Penh, the construction of road blocks, the obstruction of provincial population from entering Phnom Penh the night before the hearing, as well as evening raids on the offices of several human rights groups and election watch dogs by large contingents of security forces, looking for protesters that they might be housing the night prior to the hearing.

On 26 November 2017, Prime Minister Hun Sen threatened the closure of the Cambodian Centre for Human Rights (CCHR), a prominent and independent local human rights NGO, which was initially founded by Kem Sokha in 2002. Kem Sokha left the organisation in 2007 to resume his political activities, which was when CCHR took steps to ensure that CCHR's mandate and mission was based on principles of independence and non-partisanship. On 2 December 2017, Prime Minister Hun Sen announced that CCHR was no longer going to be closed as it "complied with the law" and upon having successfully passed an investigation by the Mol.

This relentless onslaught on the CNRP comes in the context of a much wider attack on independent voices in the country, in particular civil society and independent media, leading to the silencing of more than 30 radio broadcast frequencies, the shutting down of independent press agencies, the suspension and closure of several independent human rights NGOs, the continued arbitrary detention of activists, and increased threats and intimidation of critical voices in the country.

Name: Kem Sokha  
Gender m/f: m

UA: 278/17 Index: ASA 23/7623/2017 Issue Date: 21 December 2017