

URGENT ACTION

OPPOSITION PARTY MEMBERS ARRESTED, CHARGED

Five youth members and two officials from Cambodia's main opposition party are facing arbitrary and politically motivated legal action over a protest which ended in violence on 15 July 2014.

On 15 July there were violent clashes between Cambodia National Rescue Party (CNRP) supporters and district public order personnel at a demonstration against the closure of Freedom Park in the capital, Phnom Penh, and to call for a ban on peaceful assemblies to be lifted. The Cambodian authorities have claimed that 38 public order personnel were injured, some of them critically. At least six CNRP supporters were also injured.

Seven CNRP members of parliament and a mobilisation official were arrested between 15 and 17 July and charged with instigating violence, incitement and leading an insurrection. They were released on bail after spending a week in prison. Charges against the MPs have not been followed up because they have parliamentary immunity. The official, **Oeur Narith**, was questioned again by the court on 13 August.

The head of the CNRP's youth wing, **Khin Chamrouen**, was arrested on 2 August, as were the party's Phnom Penh youth leaders **Neang Sokhun** and **San Kimheng**. They have been charged with joining an "insurrection" and other offences. They are in pre-trial detention in Prey Sar CC1 prison in Phnom Penh and have been refused bail. Their appeal against denial of bail will be heard on 22 August. Around 13 August, another three CNRP members were summonsed for questioning in relation to the 15 July events: youth members **San Seyhak** and **Tep Narin**, and party official **Meach Sovannara**.

Amnesty International considers the legal action to be arbitrary, politically motivated and designed to silence dissent, in violation of the rights to freedom of expression and peaceful assembly and to freedom from arbitrary detention.

Please write immediately in Khmer, English, French or your own language:

- Calling on the authorities to ensure that the seven CNRP members facing legal action are treated in accordance with international human rights law and standards, including freedom from arbitrary detention, and fair trial rights;
- Demanding that those in pre-trial detention are given a fair bail hearing at which they are granted bail unless the authorities can demonstrate convincingly that no less restrictive measure can attain any legitimate aim;
- Urging the authorities to ensure the independence of the courts and an end to their use for political ends.

PLEASE SEND APPEALS BEFORE 26 SEPTEMBER 2014 TO:

Minister of Interior and Deputy Prime

Minister

Sar Kheng

75 Norodom Blvd.

Khan Chamkarmon

Phnom Penh, Cambodia

Fax: + 855 23 426 585

Salutation: Your Excellency

Minister of Justice

Ang Vong Vathana

No 240 Sothearos St 3

Phnom Penh, Cambodia

Fax: + 855 23 364119

Email: moj@cambodia.gov.kh

Salutation: Your Excellency

And copies to

Minister of Foreign Affairs and

International Cooperation

Hor Nam Hong

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:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

These arrests and summonses have taken place as the ruling Cambodian People's Party (CPP) negotiated with the CNRP to reach a political agreement to end a year-long dispute over the outcome of National Assembly elections in July 2013. Agreement was finally reached on 22 July 2014, and the eight CNRP members arrested a week earlier were released on bail the same day.

Amnesty International considers the legal action to be arbitrary, politically motivated and designed to silence dissent, in violation of their rights to freedom of expression and peaceful assembly as well as to freedom from arbitrary detention. The charges of leading or participating in "an insurrection", which carry a possible 30-year prison sentence, appear particularly far-fetched, which tends to support this conclusion. Cambodia's judicial system is not independent and politically motivated arrests and legal action are common. Fair trial rights are frequently ignored.

The CNRP had held a series of overwhelmingly peaceful mass demonstrations in Phnom Penh and around the country since the disputed national election of 28 July 2013. The party refused to join the National Assembly, alleging massive election irregularities and demanding an independent investigation into the conduct of the election. Following the agreement reached on 22 July, CNRP members of parliament have taken their seats in the National Assembly.

In December 2013, striking garment workers demanding an increase to the minimum wage converged with ongoing opposition CNRP demonstrations contesting the result of the national election. The scale of these demonstrations was unprecedented in Cambodia. But over three days from 2 January 2014, the authorities used unnecessary and excessive force that flouted international human rights law and standards on the use of force and firearms to put an end to the strike and to opposition assemblies, which had been overwhelmingly peaceful.

At least four people were shot dead on 3 January, one 16-year-old boy went missing, feared dead, and scores were injured, after the security forces fired live rounds at garment workers and others at an assembly that turned violent in Phnom Penh's Pur Senchey district. Dozens of people were hospitalized, including many with bullet wounds. Teenagers were among the casualties, and the injuries sustained from gunshots and beatings include cerebral bleeding, eye injuries and possible blindness, broken limbs, abdominal injuries and ruptured intestines.

As part of the crackdown, on 4 January police and gendarmes looked on and military helicopters flew overhead as scores of men armed with metal poles and batons – some in civilian clothing with red scarves, and others identified as the capital's Daun Penh District public order personnel – stormed Freedom Park to break up an entirely peaceful CNRP assembly that was underway. That day, the authorities effectively sought to suspend indefinitely the constitutional and human right to peaceful assembly by announcing a ban on all assemblies in Phnom Penh.

While the Cambodian authorities stated an investigation into the violent events would be carried out, there has been no further information or accountability for the use of unnecessary or excessive force against protesters in recent months.

Name: Oeur Narith, Khin Chamrouen, Neang Sokhun, San Kimheng, San Seyhak, Tep Narin, Meach Sovannara
Gender m/f: m