Cambodia: Acts of intimidation and death threats against Mr. Vann Sophath, CCHR Land Reform Project Coordinator

Date de mise en ligne : Tuesday 13 May 2014

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The Observatory has been informed by the Cambodian Center for Human Rights (CCHR) about acts of intimidation and death threats against Mr. Vann Sophath, CCHR Land Reform Project Coordinator, while conducting a visit at the site of a land dispute with the Khun Sear Company in Sangkat Boeung Kak I, Khan Tuol Kork, Phnom Penh.

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in Cambodia.

**Description of the situation:**

According to the information received, on May 9, 2014, at around 4:30pm, Mr. Vann Sophath went to the site of the land dispute while the Khun Sear Company security guards were demolishing the home of Mr. Ly Sreakheng's family, one of the three families involved in the dispute, in order to produce footage for a documentary on the demolition of the site.

Mr. Sophath was then interrupted by a group of approximately six civilians, who are known as security guards for the Khun Sear Company and who were armed with knives, axes and hammers. They pushed him out of the site as others threatened to cut him on the head. One of the guards loudly insulted and screamed at Mr. Sophath, saying "Old fool! I will not allow you to be free". The same security guard ordered another one to take a photograph of Mr. Sophath and of his car's number plate. As a consequence, Mr. Sophath had to leave the site at around 4:50pm. Mr. Sophath is currently planning to lodge a complaint with respect to those events.

On April 25, 2014, Mr. Vann Sophath and his team first visited the site to begin producing documentary footage of Mr. Ly Sreakheng's family. Around 10 Khun Sear Company security guards had then already tried to interrupt the shooting by verbally attacking Mr. Sreakheng, and one of the guards photographed the team, focusing on Mr. Sophath's face.

The Observatory expresses its deepest concern about the acts of harassment and death threats against Mr. Vann Sophath, which are directly related to his human rights activities. The Observatory urges the authorities of Cambodia to guarantee in all circumstances Mr. Sophath's psychological and physical integrity, as well as to conduct an immediate, thorough, effective, and impartial investigation into the above-mentioned facts in order to identify all those responsible, bring them to justice, and apply the sanctions provided by the law.

**Background information:**

Mr. Ly Sreakheng and two other families have been living on the plot of land No. 18, Street 289 and 528, Khan Tuol Kork, Phnom Penh, since 1982. Prior to this, the land was occupied by the Vietnamese army between 1979 and 1982. In 1985, the Sangkat (Commune) Boeung Kak I opened an office in the same building and in 2005 so did the Cambodian Peoples' Party. The three families attempted multiple times to register their lands under the 2001 Land Law but have continuously been ignored by the authorities. On October 4, 2010, the Council of Ministers issued a letter signed by Mr. Bun Huy, Secretary of State, transferring the disputed land to the Khun Sear Company. In order to proceed to the exchange, in 2013, the cadastral department of the Phnom Penh Municipality issued a land certificate stating that the disputed land belonged to the State. Since then, the Khun Sear Company has claimed
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Ownership of the land. The three families, particularly Mr. Ly Srea Kheng's, have been harassed and attacked again and again since May 2013 without any intervention from the authority to protect them. The company's guards have destroyed the crops, disconnected electricity, damaged the material used for their business, beat members of the families, burned the house and are currently facing the demolition of their house.

Actions requested:

The Observatory urges the authorities of Cambodia to:

i. Guarantee in all circumstances the physical and psychological integrity of Mr. Vann Sophath, all CCHR members as well as all human rights defenders in Cambodia;

ii. Carry out an immediate, effective, thorough, transparent and impartial investigation into the above-mentioned events, in order to identify all those responsible, bring them before a civil, competent and impartial tribunal, and apply to them the penal sanctions provided by the law;

iii. Put an end to acts of harassment against Mr. Vann Sophath and all human rights defenders in Cambodia and ensure in all circumstances that they are able to carry out their work without unjustified hindrance and fear of reprisal;

iv. Conform in any circumstances with the provisions of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly, in particular:

   - its Article 1, which states that "everyone has the right, individually or in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels";
   - and its Article 12.2 which states that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration".

v. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Cambodia.

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Please also write to diplomatic representations of Cambodia in your respective countries.