

## **Cambodia: Timeline of harassment of opposition MPs, members, and supporters**

Over the past nine months, members, supporters, and elected representatives of Cambodia's main opposition party, the Cambodia National Rescue Party (CNRP), as well as the Sam Rainsy Party (SRP), have faced increasing harassment, attacks, arbitrary arrests, and imprisonment.

**21 July 2015:** After a blatantly unfair trial, the Phnom Penh Municipal Court sentenced 11 CNRP members and supporters to prison terms ranging from seven to 20 years on charges of insurrection regarding their involvement in a demonstration calling for the respect of the right to freedom of peaceful assembly in Phnom Penh a year earlier.<sup>1</sup>

**4 August 2015:** The Phnom Penh Municipal Court issued an arrest warrant for five people in connection with the July 2014 demonstration. Two of the five, CNRP activists Yun Kimhour and Roeun Chetra, were arrested hours later. The two were detained and charged with participation in an insurrectionary movement, intentional violence, and incitement to commit a felony.

**5 August 2015:** A third person named on the 4 August arrest warrant, CNRP activist Yea Thong, was arrested, detained, and charged with the same offenses as Yun Kimhour and Roeun Chetra.

**15 August 2015:** Police arrested SRP Senator Hong Sok Hour one day after Prime Minister Hun Sen called for his "urgent" arrest. Hong Sok Hour was arrested on various trumped-up and politically motivated charges related to a video he posted on Sam Rainsy's Facebook page. Hong Sok Hour was unaware that the video contained an inaccurate reproduction of a historical document pertaining to the Vietnam-Cambodia border. The senator's detention was followed by arrest warrants for three CNRP youth members who managed Sam Rainsy's Facebook page. The three - who fled the country - were accused of being co-conspirators with Hong Sok Hour in the posting of the video.

**17 August 2015:** All 47 ruling Cambodian People's Party (CPP) senators in the 61-seat Senate voted in favor of stripping SRP Senator Hong Sok Hour of his parliamentary immunity following his arrest two days earlier. SRP senators boycotted the session.<sup>2</sup>

**10 September 2015:** Despite no evidence to support the charges of intentional violence and obstructing authorities, a court in Phnom Penh sentenced CNRP member Ouk Pich Samnang to two more years in prison in connection with his participation in a land protest on 20

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<sup>1</sup> CNRP members Ouern Narith, Khin Chamreun, and Meach Sovannara were sentenced to 20 years in prison on charges of leading an insurrectionary movement (Article 459 of the Criminal Code). CNRP members and supporters San Kimheng, Neang Sokhun, San Seihak, An Batham, Ouk Pich Samnang, Ke Khim, Sum Puthy, and Tep Narin were sentenced to seven years in prison each on charges of participating in an insurrectionary movement (Articles 456 and 457 of the Criminal Code).

<sup>2</sup> RFA, *Cambodian Legislature Strips Detained Opposition Senator of Immunity*, 17 August 2015

October 2014 in Phnom Penh.<sup>3</sup> Samnang was already serving seven years in connection with a July 2014 demonstration in Phnom Penh.<sup>4</sup>

**26 October 2015:** A large group of assailants beat and seriously injured CNRP MPs Kong Saphea and Nhay Chamroeun outside the National Assembly in Phnom Penh.<sup>5</sup> The attack took place shortly after a protest by several thousand CPP supporters and youth members who demanded the resignation of CNRP deputy leader Kem Sokha as the National Assembly's Vice-President.<sup>6</sup> On 4 November 2015, three men, all military soldiers allegedly from Prime Minister Hun Sen's elite bodyguard unit, surrendered to authorities and were charged with intentional violence and aggravated assault in connection with the 26 October attack.<sup>7</sup>

**30 October 2015:** All 68 CPP MPs voted to remove CNRP deputy leader Kem Sokha as the National Assembly's Vice-President.<sup>8</sup> All 55 CNRP MPs boycotted the parliamentary session.<sup>9</sup>

**13 November 2015:** The Phnom Penh Municipal Court issued an arrest warrant for CNRP leader Sam Rainsy in connection with a defamation case filed by Foreign Minister Hor Namhong against Rainsy in 2008. The penalties for defamation do not include imprisonment. However, an additional charge of incitement to discriminate was later added. In 2011, the Phnom Penh Municipal Court convicted Rainsy of defamation and "incitement to discriminate" against the government. The court sentenced him to two years in prison, and fined him US\$2,000.<sup>10</sup> In 2013, Rainsy dropped an appeal against his conviction, following which he was granted a royal pardon. Hor Namhong requested that the court issue the arrest warrant so that the 2011 verdict would be enforced.<sup>11</sup>

**16 November 2015:** National Assembly President Heng Samrin removed CNRP leader Sam Rainsy from his position as MP.<sup>12</sup> As a result, Sam Rainsy lost his parliamentary immunity. The decision to strip Rainsy of his lawmaker status came shortly after a meeting of the National Assembly's standing committee, which approved the arrest of Rainsy. The CNRP boycotted the meeting.<sup>13</sup>

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<sup>3</sup> Cambodia Daily, *Activist Gets 2 More Years in Prison Over Protest*, 11 September 2015

<sup>4</sup> Cambodia Daily, *Activist Gets 2 More Years in Prison Over Protest*, 11 September 2015

<sup>5</sup> Phnom Penh Post, *Lawmakers beaten at National Assembly*, 27 October 2015

<sup>6</sup> Phnom Penh Post, *Lawmakers beaten at National Assembly*, 27 October 2015; Reuters, *Cambodian opposition MPs beaten as political truce falters*, 26 October 2015

<sup>7</sup> Phnom Penh Post, *Three RCAF members charged for beatings*, 5 November 2015

<sup>8</sup> Phnom Penh Post, *Sokha stripped of National Assembly vice presidency*, 30 October 2015

<sup>9</sup> Xinhua, *Cambodian parliament fires opposition vice president Kem Sokha from parliament's 1st vice president*, 30 October 2015

<sup>10</sup> The definition of incitement to discriminate under Criminal Code Articles 494 and 496, as referred to in the court's decision, expressly limits the offence to discrimination on the basis of ethnicity, nationality, race or religion. However, the guilty verdict against Sam Rainsy in this case was reached on the basis of inciting discrimination against the government.

<sup>11</sup> Cambodia Daily, *Court Issues Arrest Warrant For Rainsy*, 14 November 2015

<sup>12</sup> RFA, *Cambodia's Parliament Votes to Remove Opposition Chief Sam Rainsy's Lawmaker Status*, 16 November 2015; Phnom Penh Post, *Rainsy stripped of lawmaker status*, 16 November 2015

<sup>13</sup> RFA, *Cambodia's Parliament Votes to Remove Opposition Chief Sam Rainsy's Lawmaker Status*, 16 November 2015; Phnom Penh Post, *Rainsy stripped of lawmaker status*, 16 November 2015

**20 November 2015:** Phnom Penh Municipal Court summoned CNRP leader Sam Rainsy to appear for questioning on 4 December 2015 in relation to charges of “forging public documents, using forged public documents, and incitement to commit a crime” under articles 29, 629, 630, and 495 of the criminal code.<sup>14</sup> The actions covered by the charges are linked to the Facebook video posted by SRP Senator Hong Sok Hour.<sup>15</sup>

**20 November 2015:** Police in Bavet, Svay Rieng Province, arrested CNRP local official Norng Sarith, 42, in connection with a Facebook post that showed an 11-year-old boy’s birth certificate that implied that Svay Rieng was located in Vietnam.<sup>16</sup> On 21 November, Sarith was charged with forgery and incitement to commit a crime.<sup>17</sup>

**1 December 2015:** The Phnom Penh Municipal Court summoned CNRP leader Sam Rainsy to appear for questioning on 4 January 2016 over accusations he defamed National Assembly President Heng Samrin in a 17 November 2015 Facebook post.<sup>18</sup> Heng Samrin claimed the Facebook post defamed him by alleging that the Vietnam-backed government he led after the fall of Pol Pot’s regime had set up a tribunal that sentenced late King Norodom Sihanouk to death on charges of treason.<sup>19</sup> On 31 March 2016, it was reported that the Phnom Penh Municipal Court had charged CNRP leader Sam Rainsy with defamation as a result of Heng Samrin’s complaint.<sup>20</sup>

**10 March 2016:** Minister Attached to the Prime Minister Som Soeun sued CNRP leader Sam Rainsy for defamation over a Facebook post.<sup>21</sup> In the message posted on Facebook on 9 March 2016, Sam Rainsy accused Som Soeun of instructing ruling party members to boost PM Hun Sen’s “like” count on the social media site using fake accounts.<sup>22</sup> Som Soeun demanded 20 million riel, (US\$5,000) in compensation.<sup>23</sup>

**22 March 2016:** It was reported that Foreign Minister Hor Namhong filed a lawsuit in France against CNRP leader Sam Rainsy over a Facebook post. The message that Sam Rainsy posted on Facebook 20 November 2015 reiterated claims that Hor Namhong ran a Khmer Rouge prison camp in the late 1970s.<sup>24</sup>

**11 April 2016:** Police in Siem Reap Province arrested CNRP MP Um Sam An in connection with remarks he made in 2015 concerning disputed border demarcation along the

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<sup>14</sup> AP, *Sam Rainsy faces new charges*, 20 November 2015; Phnom Penh Post, *Fresh summons for Rainsy*, 21 November 2015

<sup>15</sup> AP, *Sam Rainsy faces new charges*, 20 November 2015

<sup>16</sup> Phnom Penh Post, *CNRP duo jailed for birth certificate ‘lies’*, 21 November 2015

<sup>17</sup> Phnom Penh Post, *Charges laid over ‘forged’ certificate*, 23 November 2015

<sup>18</sup> Phnom Penh Post, *New charge for Rainsy*, 3 December 2015

<sup>19</sup> Phnom Penh Post, *New charge for Rainsy*, 3 December 2015; Cambodia Daily, *Rainsy Charged With Defamation Over Sihanouk Allegations*, 31 March 2016

<sup>20</sup> Cambodia Daily, *Rainsy Charged With Defamation Over Sihanouk Allegations*, 31 March 2016

<sup>21</sup> Cambodia Daily, *Minister Sues Rainsy Over Fake Facebook Profiles Claim*, 11 March 2016; Phnom Penh Post, *Rainsy faces defamation charge for post about PM’s ‘likes’*, 11 March 2016

<sup>22</sup> Cambodia Daily, *Minister Sues Rainsy Over Fake Facebook Profiles Claim*, 11 March 2016; Phnom Penh Post, *Rainsy faces defamation charge for post about PM’s ‘likes’*, 11 March 2016

<sup>23</sup> Cambodia Daily, *Minister Sues Rainsy Over Fake Facebook Profiles Claim*, 11 March 2016; Phnom Penh Post, *Rainsy faces defamation charge for post about PM’s ‘likes’*, 11 March 2016

<sup>24</sup> Cambodia Daily, *Namhong Brings Fresh Suit Against Rainsy*, 22 March 2016

Cambodia-Vietnam border.<sup>25</sup> Um Sam An was apprehended despite holding parliamentary immunity.<sup>26</sup> On 12 April 2016, police charged Um Sam An with incitement to commit a criminal act and inciting prejudice against another country under Articles 495 and 496 of the Criminal Code. He faces up to five years in prison if convicted of both offenses.<sup>27</sup>

In total, 17 opposition MPs, members, and supporters are currently detained:

- Ouer Narith Official of Public Affairs Department detained from Jul 21
- Khin Chamroeun Chief of Phnom Penh Youths detained from Jul 21
- San Kimheng Tuol Kork district youth leader detained from Jul 21
- Neang Sokhun Chbar Ampov district youth leader detained from Jul 21
- Sum Puthy CNRP Chbar Ampov council member detained from Jul 21
- Ouk Pich Samnang Activist and CNRP supporter detained from Jul 21
- Meach Sovannara Candidate for Banteay Meanchey detained from Jul 21
- Ke Khim CNRP supporter detained from Jul 21
- Tep Narin Youth member detained from Jul 21
- San Seihak Youth member detained from Jul 21
- An Batham Youth member detained from Jul 21
- Yun Kimhour CNRP activist detained from Aug 5
- Roeun Chetra CNRP activist detained from Aug 5
- Yea Thong CNRP activist detained from Aug 5
- Hong Sok Hour Sam Rainsy Party Senator detained from Aug 15
- Norng Sarith CNRP local official detained from Nov 20
- Um Sam An CNRP National Assembly member detained from April 11

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<sup>25</sup> AP, *Cambodian police charge opposition critic of border policy*, 12 April 2016; Cambodia Daily, *Opposition Lawmaker Um Sam An Arrested*, 11 April 2016; VOA, *Cambodian Opposition Lawmaker Arrested for Border Comments*, 11 April 2016; Reuters, *Cambodian MP held over fake border map*, 12 April 2016

<sup>26</sup> Cambodia Daily, *Opposition Lawmaker Um Sam An Arrested*, 11 April 2016; VOA, *Cambodian Opposition Lawmaker Arrested for Border Comments*, 11 April 2016; RFA, *Cambodian Court Denies Bail to Opposition Lawmaker*, 22 April 2016

<sup>27</sup> AP, *Cambodian police charge opposition critic of border policy*, 12 April 2016; RFA, *Cambodian Court Denies Bail to Opposition Lawmaker*, 22 April 2016