

Asia Pacific Civil Society Statement in solidarity with Cambodian human rights defender Mr Ny Chakrya

We, the undersigned civil society organizations from across Asia and the Pacific call on the government of Cambodia to immediately and unconditionally drop all charges against Mr Ny Chakrya, which are an attack on his lawful activities as a human rights defender. We further call on the government to guarantee in all circumstances the right of human rights defenders in Cambodia to carry out their work free of persecution and deliberate restriction.

Mr Ny Chakrya is Head of the Human Rights and Legal Aid Section of the Cambodian Human Rights and Development Association (ADHOC), which monitors the development and protection of human rights, in particular of land and natural resources, fair trial, women and children's rights, and provides legal assistance to victims of such human rights violations. On 1 July 2015, he received a summons to appear before the Deputy Prosecutor of the Phnom Penh Municipal Court. The summons is in response to public statements made by Mr Ny Chakrya and his colleague, scrutinising the arrest, detention and torture of their clients, who are involved in a high profile land dispute. Further details of the case are below.

We express our grave concern at his judicial harassment, and the court summons issued against him, especially in the context of the new draft law on Association and Non-Governmental Organizations, a repressive law which threatens to limit the capacities of many domestic and international associations and NGOs, as well as community-based and grassroots organisations, in Cambodia. We view the persecution of Mr Ny Chakrya as evidence of the government's continued efforts to undermine civil society and restrict the ability of human rights defenders to work effectively in the country.

In line with its international human rights obligations, the Government of Cambodia must end the harassment of human rights defenders, such as Mr Ny Chakrya, and stop imposing constraints on their legitimate work, which includes the assistance of victims of human rights violations.

Endorsed by:

Asia Pacific Forum on Women, Law and Development

Tebtebba Foundation (Indigenous Peoples' International Center for Policy Research and Education)

Earth Rights International

Asian Forum for Human Rights and Development (FORUM-ASIA)

Pesticide Action Network- Asia Pacific

Community Resource Centre

Center for Trade Union and Human Rights

POSCO Pratirodh Sangram Samiti (PPSS)

Indonesia for Global Justice

Alyansa Tigil Mina (Alliance Against Mining Philippines)

Sri Lankan National Fisheries Solidarity Movement

Tanggol Bayi

International Rivers

Ain-o-Salish Kendra (ASK)

IBON International

Social Movements for an Alternative Asia

Leitana Nehan Women's Development Agency

Asia Indigenous People's Pact (AIPP)

Alliance for the Advancement of People's Rights (Karapatan)

Solidaritus Perempuan

Philippine Alliance of Human Rights Advocates (PAHRA)

Women's League of Burma

Center for Human Rights and Development

Shwe Gas Movement

Action Group for Resource Accountability in Myanmar (AGRAM)

National Alliance of People's Movements (NAPM)

Asha Parivar

Socialist Party (India)

On 1 July 2015, human rights defender Mr Ny Chakrya was summoned to appear before the Deputy Prosecutor of the Phnom Penh Municipal Court, Mr Seang Sok, on 13 July 2015 at 8:30am.

The submission of the complaint came in response to a press conference organised by ADHOC's Central Office in Phnom Penh on 12 May 2015, at which Mr Ny Chakrya and his ADHOC colleague, Mrs Pouk Yarann, discussed the approach of the authorities to the ongoing land dispute in Siem Reap province, and condemned the arrest and detention of Mrs Pouk Yarann's clients, Mr Ven Lon and Mr Beourn Sok two residents of the Chup Romdeng village located in the disputed area. The two village residents were

arrested by police and military forces in January 2015, brought to unknown state security headquarters in Siem Reap, and subjected to brutal torture in order to extract confessions.

The Prosecution Office of the Siem Reap Provincial Court made a public statement on 15 May 2015 in response to ADHOC's press conference, threatening Mr Ny Chakrya and Mrs Pouk Yarann with legal proceedings against them. On 20 May 2015, Mr Ny Chakrya, filed a complaint with the President of the Disciplinary Council of the Supreme Council of Magistracy, requesting disciplinary proceedings against the Prosecutor, Mr Bandith, and Investigating Judge of the Siem Reap Provincial Court, Mr Rithy, arguing that their actions and public statements demonstrated a lack of independence and may have prevented the proceedings of the two land dispute victims from being conducted in accordance with their rights to a fair trial.

The majority of the residents of Chup Romdeng village, where ADHOC's clients reside, belong to the Kuoy indigenous group. In 2014, Community Takhmao Development Agricultural & Industrial Ltd. (TCIDA) started clearing plots of land owned by village residents, affecting 31 families and a total of 90 hectares of land.