

Cambodia: Release former Radio Free Asia journalists and drop all charges

(Bangkok, 15 May 2018) – The Asian Forum for Human Rights and Development (FORUM-ASIA) condemns the continued detention, which has now exceeded six months, of two former Radio Free Asia (RFA) journalists, Uon Chhin and Yeang Sothearin since their arrest on 14 November 2017. They will appear in court again tomorrow, 16 May, where their detention is likely to be reviewed.

Uon Chhin and Yeang Sothearin were arrested and charged with ‘supplying a foreign state with information prejudicial to national defence’, an offence defined as ‘espionage’ under Article 445 of the Cambodian Criminal Code. If convicted, they could serve up to seven to 15 years in prison. A week before the court hearing on 4 April 2018, additional charges were filed against the two for allegedly producing pornography; they vehemently deny these charges.

An appeal by Uon Chhin and Yeang Sothearin on 4 April 2018 to release them for unlawful detention was rejected by the Cambodia’s Appeals Court Judge Phou Povsun on the claim by the police that they were only held for 42 to 43 hours from 14-16 November 2017. However, according to their lawyer, they were only brought to the court prosecutor on 17 November 2017, and their detention was therefore in excess of the 48 hours that is permissible under Article 47 of the 1993 Criminal Procedure Code. Earlier applications for bail in December, March, and April were also denied by various courts on supposed grounds of pending investigations and potential “serious damage” that could be caused by the pair.¹

Both Uon Chhin and Yeang Sothearin had been working for the Phnom Penh Bureau of RFA till it was closed down on 12 September 2017 due to repression from the government, threats against reporters, and the closure of its FM broadcasts. The Bureau has been operating in Phnom Penh for almost 20 years. The alleged basis for their arrest was that they were still filing reports to the headquarters of RFA in the United States.

The false allegations against Uon Chhin and Yeang Sothearin, the blatant disregard of their rights while in detention, the dubious reasons given for the denial of bail, and the most recent additional charges filed against them are but just one example of the Cambodian Government’s violations of fundamental rights of Cambodian citizens to achieve its goals, in breach of its obligations under the International Covenant on Civil and Political Rights.

Given that the General Elections in Cambodia have been scheduled for 29 July 2018, the arbitrary charges and detention appear to be one method the authorities are using to try to intimidate journalists and RFA in particular. Similar ongoing harassment and attacks against the media and human rights defenders can be seen in the forced closure of Cambodia Daily in September last year, the removal of 30 nationwide radio transmissions, the recent ownership change of the last independent media outlet the Phnom Penh Post.² Reporters without Borders has ranked Cambodia at 142, which is 10 positions lower to 2017, out of 180 countries for the World Press Freedom Index released last month.³

¹¹ <http://www.licadho-cambodia.org/flashnews.php?perm=241>

² <https://www.forum-asia.org/?p=26317>

³ <https://rsf.org/en/cambodia>



If the Cambodian Government is minded to show its commitment to steering the country towards a free and fair election, and ultimately a consolidated democracy, it should afford Uon Chhin and Yeang Sothearin the due process they are entitled to. FORUM-ASIA calls on the Government of Cambodia to drop the charges against Uon Chhin and Yeang Sothearin and release them from such arbitrary detention without cause, especially since six months have passed without any progress or trial date set. If investigations have not managed to reveal sufficient evidence against Uon Chhin and Yeang Sothearin, despite the long period that has passed since their arrest, there is no reason for the detention to continue.

About FORUM-ASIA: *FORUM-ASIA is a regional human rights group with 58 member organisations in 19 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratisation.*

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