

## **Joint Statement**

### **Civil Society Calls for Immediate Release of Boeung Kak Lake Activists**

**Phnom Penh, 18 August 2016**

We, the undersigned civil society groups, demand the immediate release of two Boeung Kak Lake activists – Ms. Tep Vanny and Ms. Bov Sophea – who were charged and sent to provisional detention in Prey Sar’s CC2 prison on 17 August 2016, in relation to their involvement in the ‘Black Monday’ campaign. We also call on authorities to drop the spurious incitement charges against them, and allow for peaceful assemblies, such as those in support of the Black Monday campaign, as protected under Cambodian and international law.

Tep Vanny and Bov Sophea, both long-time activists from Boeung Kak Lake community, were arrested on 15 August at about 6.30 pm after they were specifically targeted by police during a peaceful vigil in their community held to mark the 15<sup>th</sup> ‘Black Monday’. The women spent two nights detained in Daun Penh district police station, where they were interrogated by police as supporters gathered outside. Among the supporters was a Spanish citizen conducting academic research in the Boeung Kak Lake community. She was arrested outside the police station by immigration authorities on Tuesday morning and deported from the country a day later.

Early on the morning of Wednesday 17 August, Tep Vanny and Bov Sophea were brought to Phnom Penh Municipal Court and interrogated by Phnom Penh Deputy Prosecutor Keo Socheat. At about 4 pm, charges of incitement to commit a felony or disturb social security – under Article 495 of Cambodia’s Criminal Code – were brought against both women.

‘Black Monday is a campaign for justice, and instead it has been met with more injustice,’ said Sor Sorn, a land activist from Borei Keila community. ‘Our sisters, Tep Vanny and Bov Sophea, were arrested within their own community for no reason. Despite this intimidation, we will continue to demand their release, as well as other human rights defenders who are in prison.’

The charges, brought after a peaceful gathering, represent an egregious violation of freedom of expression and assembly, and mark yet another step in the Cambodian government’s campaign of intimidation against citizens expressing any form of dissent. The Cambodian government has consistently and disingenuously misrepresented peaceful gatherings, including the ones linked to the Black Monday campaign, as an attempt to start a ‘colour revolution’, at times labelling it ‘urban rebellion’.

‘This farcical case shows yet again how the government has zero tolerance towards peaceful democratic expression’, said LICADHO Deputy Director Naly Pilorge. ‘These baseless charges are yet another escalation of the ongoing crackdown, targeting Cambodians who have refused to be silenced by intimidation.’

Less than an hour after the charges were filed, the women were sent to trial, without any judicial investigation procedures. The court order to hold an immediate trial has violated their right to a fair trial, under Cambodian and international law, in which defense counsel must have time and facilities to prepare an adequate defense.

Just 30 minutes into the trial, the presiding Judge Pich Vichea Thor suspended the hearing and delayed it until the morning of Monday 22 August. The pair were subsequently sent to Prey Sar's CC2 prison, where they are being held in provisional detention. Under Cambodia's Code of Criminal Procedure, provisional detention may only be ordered in "exceptional" circumstances.

'This provisional detention is entirely unnecessary and is yet another example of the justice system being used and abused to silence political dissent,' said Eang Vuthy, Director of Equitable Cambodia. 'We are extremely concerned that human rights defenders can be arrested just for voicing protests against the arrest of fellow human rights defenders.'

If convicted, Bov Sophea and Tep Vanny face up to two years' imprisonment and a fine of \$1,000. This marks Tep Vanny's third spell in CC2 because of her peaceful activism, and Bov Sophea's second since 2012. They join the ADHOC staffer and imprisoned woman human rights defender Lim Mony – one of the five incarcerated human rights defenders whom the Black Monday campaign highlights.

The Boeung Kak Lake community has been steadfast participants in the Black Monday campaign, holding weekly gatherings to call for the release of five imprisoned human rights defenders and, in recent months, for justice for the recent murder of political analyst and Black Monday supporter Kem Ley. Monday's event came fifteen weeks after four human rights defenders from NGO ADHOC and one election official were detained on what appear to be politically motivated bribery charges.

Altogether, peaceful Black Monday protests have resulted in a total of at least 36 arrests of at least 20 people since they began in May, with protesters typically held for hours before being released. This is the first time Black Monday protesters have been charged.

*This statement has been endorsed by:*

1. 92 Community
2. Alliance for Conflict Transformation (ACT)
3. Beung Pram Land Community
4. Boeung Kak Community
5. Boeung Trabek Community
6. Borei Keila Community
7. Borei Santepheap Community
8. Buddhism for Peace Organization
9. Building and Wood Workers Trade Union (BWTUC)
10. CamASEAN Youth Future (CamASEAN)
11. Cambodia Development People Life Association (CDPLA)
12. Cambodian Alliance of Trade Unions (CATU)
13. Cambodian Centre for Human Rights (CCHR)
14. The Cambodian Committee for Women (CAMBOW)
15. Cambodian Domestic Workers Network (CDWN)
16. Cambodian Food and Service Workers' Federation (CFSWF)
17. Cambodian Human Rights Action Coalition (CHRAC)
18. Cambodian Human Rights and Development Association (ADHOC)
19. Cambodian Independent Civil-Servants Association (CICA)
20. Cambodian Independent Teachers Association (CITA)

21. *Cambodian Informal Economic Workers Association (CIWA)*
22. *Cambodian Labour Confederation (CLC)*
23. *Cambodian League for the Promotion & Defense of Human Rights (LICADHO)*
24. *Cambodian NGO Committee on CEDAW (NGO-CEDAW)*
25. *Cambodian Tourism and Service Workers Federation (CTSWF)*
26. *Cambodian Youth Network (CYN)*
27. *Center for Alliance of Labor and Human Rights (CENTRAL)*
28. *Cheko Community*
29. *Chey Chomnas Community*
30. *Coalition for Integrity & Social Accountability (CISA)*
31. *Coalition of Cambodian farmer Community (CCFC)*
32. *Coalition of Cambodian Apparel Workers Domestic Unions (C.CAWDU)*
33. *Community Legal Education Center (CLEC)*
34. *Community Peace-Building Network (CPN)*
35. *Collective Union of Movement of Worker (CUMW)*
36. *Equitable Cambodia (EC)*
37. *Farmer Association for Peace and Development (FAPD)*
38. *Former Boeung Kak Women Network Community*
39. *Highlander Association (HA)*
40. *Independent Democracy of Informal Economy Association (IDEA)*
41. *Independent Monk Network for Social Justice (IMNSJ)*
42. *Indigenous Youth at Brome Commune, Preah Vihear Province*
43. *Land Community, I Village Preah Sihanouk Province*
44. *LICADHO Canada*
45. *Lor Peang community, Kampong Chhnang Province*
46. *Mother Nature*
47. *Peace Bridges Organization (PBO)*
48. *People Center for Development and Peace (PDP-Center)*
49. *Phnom Bat Community*
50. *Phum 23 Community*
51. *Ponlok Khmer*
52. *Prek Takung Community*
53. *Samakum Teang Thaut (STT)*
54. *SOS International AirPort Community*
55. *Thmor Kol Community (TK)*
56. *Toul Sangke B Community*
57. *Trapaing Anchchanh Thmey Community*
58. *Tumnop II Community*
59. *Urban Poor Women Development (UPWD)*
60. *Wat Than Monk Network*