

GRAVE VIOLATIONS OF HUMAN RIGHTS ON CAMBODIA NATIONAL RESCUE PARTY

Torture and Death- the case of Tith Rorn

38-year-old Tith Rorn died on 18 April in Kompong Cham prison after his arrest on 15 April.

<https://www.phnompenhpost.com/national-politics/officials-respond-kampong-cham-prison-death>

According to Eam Tieat, Tith Rorn's father, 3 commune police officers came to his home on 15 April and took Tith Rorn away without an arrest warrant.

In the evening of 18 April, a neighbor came to inform the father that his son had died in prison. He should go to the provincial prison to fetch the body.

In the morning of 19 April, the father went to the prison and found his son's body. He was allowed to bring the body home for proper funeral arrangements.



The authorities covered the cost of the ambulance and part of the funeral arrangements. Police told him that his son had epileptic seizures three or four times a day when in detention. He categorically rejected it as his son had no history of epilepsy.

On 30 April the father made an appeal, recoded on video, to Prof. Rhona Smith - the UN Special Rapporteur on Human Rights to bring justice to his son. The video is widely circulated on Facebook.

A video of the body when returned home, shows that the neck was broken, the right eye severely bruised and suspicious marks on his back. This video is also widely circulating on Facebook.

According to the police report on 30 April, Kompong Cham prosecutor ordered an investigation of the death on 29 April. Based on the police report, the prosecutor concluded that Tith Rorn's death was caused by a fall which was supposedly witnessed by other inmates. A video of the supposed incident is provided in the report. However, the video does not show anything in clarity.

The police report claims that the arrest of Tith Rorn is related to a charge dated in 2006 and court decision in absentia in 2010 for a 12- month imprisonment.

Tith Rorn was a CNRP party agent during the 2017 commune election. His father is a member of the CNRP commune executive committee and a candidate at the 2017 election. The family very closely supported the opposition even before the merger of the Sam Rainsy Party and the Human Rights Party.

From the serious injuries inflicted on Tith Rorn, there is clear indication of torture under police custody. Other legal procedures such as arrest without court order of a case dated back 13 years, detention without evidence and legal justification must be addressed.

There must be an independent investigation and justice must be provided to Tith Rorn and the family.

<https://www.khmertimeskh.com/50599768/man-files-complaint-with-rights-group-over-sons-prison-death/>



CAMBODIA NATIONAL RESCUE PARTY

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Infographic By
CNRP Youth

Physical Attacks

In March, the leader of the CNRP Women's Movement in Phnom Penh, Youk Neang and Sor Candy, leader of the movement in Khan Sen Sok were physically attacked causing injuries following Hun Sen's speech specifically naming the women's movement and warning its leaders to immediately stop their activities or action would be taken.

Both women remain in hiding and fearful of future attacks.



Physical Attacks

On 7 April, CNRP body guard, NOL Pongthearith was severely assaulted by four men as he entered his home. He is active on Facebook and critical of the authorities.

For his security and safety, he fled to Thailand.

<https://www.facebook.com/222020958238305/photos/pcb.648420215598375/648409532266110/?type=3&theater>



Pre-trial Detentions

On 16 January, Kong Mas, CNRP provincial member in Svay Rieng was taken into custody without a summons by municipal police and charged with incitement and insults for posts and comments on his Facebook page. Kong Mas has been outspoken on the government responsibility for the EU possible suspension of EBA privilege.

Hun Sen has warned critics to flee if EBA is revoked.

Bail filed for his release by his lawyer has been denied.

Kong Mas remains in pre-trial detention at Prey Sar prison.

<https://www.aljazeera.com/news/2019/01/cambodia-opposition-member-charged-pm-threat-sanctions-190119065456154.html>



Pre-trial Detentions

22 April, Mr. Su Yeun, CNRP provincial executive member in Tboung Khom, was arrested without court order at home based on complaints filed by people in 4 or 5 provinces. According to police, the people claim that Su Yeun has insulted Prime Minister Hun Sen.

Su Yeun has been charged with incitement with intent to cause other criminal acts posted to his Facebook page on 20 April.

SU Yeun remains in custody in Kompong Cham prison.

<https://www.khmertimeskh.com/50597300/man-held-over-facebook-post/>



Pre-trial Detentions

On 17 May, Pol Tith Theany, 49, CNRP provincial member in Kampong Chhnang province and a teacher at Samdech Akathomaphthisal Chea Sim Kampong Tralach High School, was arrested and detained on charges of unauthorized medical practice a day after the Kampong Chhnang provincial prosecutor issued an arrested warrant against him.

Ouk Chhayavy, president of Cambodian Independent Teachers' Association, yesterday said that she could not accept the Kampong Chhnang provincial court's decision to detain Mr Tith Theany who is a member of CITA.

He remains in pre-trial detention at Kampong Chhnang provincial prison.

<https://www.khmertimeskh.com/50605426/pseudo-doctor-arrested/>

<https://www.khmertimeskh.com/50605686/teacher-charged-over-unlicensed-health-treatments/>



Pre-trial Detentions

On 09 July 2019, Kung Raiya was arrested after attempting to sell t-shirts on Facebook with images of political commentator Kem Ley.



Pre-trial Detentions

On 10 July 2019, Suong Neak Poan was arrested while he was distributing brochures to call for an end to “extrajudicial killings” near Kem Ley’s assassination site at Caltex gas station in Phnom Penh. The brochures were part of the commemoration of the third year anniversary of Kem Ley’s killing.



The Phnom Penh Municipal Court on 11 July charged Kung Raiya, 28, and Suong Neak Poan, 29, for “incitement to commit a felony” based on Cambodia’s criminal code.

If found guilty, they could face between six months to two years imprisonment.

Am Sam Ath, monitoring manager at local rights group Licadho, considered the charge as a “threat and intimidation” against Cambodian youth who support the slain popular analyst.

“The most important issue is that the arrest and charge is an act of restricting the freedom of expression of the general public,” he said.

Seven people were arrested for commemorating the third anniversary of Kem Ley’s assassination but five were released after they signed an agreement with authorities.

Pre-trial Detentions

DATE OF ARREST	28 May 2019	28 May 2019	28 May 2019	13 June 2019	16 June 2019	16 June 2019
	Tuon Sam Ath Vice Chair of Pursat province’s Veal Veng district executive committee	Chan Sophal Member of Pursat province’s O’Saom commune executive committee	Nuon Lim Number 5 reserve candidate in O’Soeam commune	Naem Nath Number 3 candidate in Pursat province’s Pramoay commune	Mom Phy Chair of Pursat province’s O’Saom commune executive committee	Prak Rin (Kin) Second Deputy Chief of Pursat province’s Pramoay commune

Since May 2019, there have been six CNRP members in Pursat province arrested and jailed on ‘Forest Encroachment’ charge. Their cases were widely seen as politically motivated because they were not involved in any illegal encroachment on public land and they actively support the Cambodian National Rescue Party (CNRP), the main opposition to the party in power. CNRP was unconstitutionally dissolved by the Supreme Court in 2017. CNRP grassroots members have rejected offers to defect and now facing tough actions and threats openly made by Mr. Hun Sen.

In the past, Hun Sen had ordered all local police to monitor CNRP activists across the country and arrest those who were mobilizing support for Sam Rainsy and specifically monitor CNRP activists in Veal Veng of Pursat province after he accused them of engaging in politics despite the party’s ban.

CNRP Members in Pursat Province Gone into Hiding to Escape Persecution

At least nine CNRP members in Pursat province went into hiding to escape arrest by authorities after their colleague, namely Chan Sophal and Tuon Sam Ath were arrested in Pursat's Veal Veng district on the evening of May 28 for alleged engagement in illegal logging.

A few weeks later some of them were arrested.

Keo Kim Srong, provincial coordinator for local rights group Licadho, said since Hun Sen made the comment, CNRP activists in Pursat are living in fear, even if they haven't done anything.

<https://www.rfa.org/english/news/cambodia/arrests-05292019155539.html>

<https://www.rfa.org/english/news/cambodia/cambodia-cnrp-forest-encroachment-again-06142019155120.html>



Court Summons Against CNRP Officials

In May, twenty-six Cambodia National Rescue Party (CNRP) officials, including the prominent former CNRP commune chief Sin Rozeth, received summonses from the Battambang provincial court for allegedly violating the Supreme Court ruling that saw the party dissolved.

National Police spokesperson Chhay Kim Khoeun has said that some of them were involved in the "Clean Finger Campaign" that urged voters to boycott last year's national election. Some had also supported the now-defunct opposition Candlelight Party of CNRP co-founder Sam Rainsy.

It is only in Battambang province where the local court has issued summonses for the alleged violation of the Supreme Court ruling.

Battambang has been seen as a province where former local CNRP officials were relatively active and CNRP received much votes in the 2017 commune elections. The summonses have been widely seen as politically motivated as the twenty-six CNRP officials were not banned from political activities.

<https://www.phnompenhpost.com/national-politics/battambang-cnrp-protest-five-face-court>
<https://www.phnompenhpost.com/national-politics/eight-cnrp-officials-summoned>



Court Summons Against CNRP Parliamentarians

In March, Phnom Penh Municipal Court issued arrest warrants for eight high-ranking members of the Supreme Court-dissolved Cambodia National Rescue Party (CNRP).

The warrants were issued shortly after CNRP Acting President, Mr. Sam Rainsy made a public statement pledging to return to Cambodia despite the threat of arrest.

The decision of the investigating judge of the Phnom Penh Municipality Court to issue arrest warrants and pressing new charges against 8 of the most prominent opposition leaders and MPs from the Cambodia National Rescue Party (CNRP) on 12 March 2019 is the latest denial of the basic Human Rights of the opposition.



CNRP Acting President, Mr. Sam Rainsy and 7 Permanent Committee members, Mu Sochua, Eng Chai Eang, Ho Vann, Long Ry, Tok Vanchan, Ou Chanrith and Men Sothavarin who are all currently in exile, have been charged with “plotting and incitement to commit felony” under articles 453, 494 and 495 of the Criminal Code. <https://www.voacambodia.com/a/warrants-issued-for-8-former-cambodian-opposition-leader-charged-with-reason/4841276.html>



Persecution of CNRP Activists

Inside Cambodia, opposition members and elected councillors have been closely watched by local police and authorities. Those who have been active on Facebook were warned or arrested for their comments considered as “incitement” or “fake news”.

The following CNRP members were summoned by local police for expressing support for Mr. Sam Rainsy. After hours of questioning they were forced to commit to ending all political activities:

In Battambang province

1. Mr. Chea Bun Chun - supporter - closely watched by local police in Banan district
2. Ms. Choy Kim-leak - district councillor - forced by police to stop all political activities
3. Mr. Long Nim - Khnach Romeas district councillor - visited at home by police
4. Mr. Prak Chhor - commune councillor - forced by district authorities to stop all political activities
5. Mr. Ly Saroeun - Vice Chair of Samlot district committee- threatened and foto stop all political activities
6. Mr. Chea Chiv - Chair of provincial executive committee- fined \$2,500 for organizing a party at his home and posting a video to his Facebook page
7. Mr. Kok Sony - samlot commune chief - questioned by police

In Banteay Meanchey

1. Mr. Tout Veasna- Chair of Mongkol Borei district executive committee (summonsed 3 times since July 2018 to January 2019)
2. Mr. Sim Van Heng- Vice Chair of Tmor Pourk district executive committee (questioned for over 4 hours at the office of the district governor)
3. Mr. Sao Pollak - Chair of O Chrov district executive committee
4. Mrs. Khun Chanthy - chief of Psar Kandal commune
5. Mr. Leng Vibol - deputy chief of Psar Kandal commune
6. Chnam Sokhan - commune councillor (went into hiding)
7. Mr. San Saly - commune councillor
8. Mr. Yim Som Ath- supporter (was questioned by military police from 9am to 6 pm and left without food while being questioned and proposed to defect to CPP)
9. Mr. Khan Lay - supporter - was visited at home and forced by head of provincial police to end all political activities
10. Mr. Pay Seng Oun - supporter- went into hiding
11. Mr. Srey Sopheap - supporter - forced to stop all support and activities with CNRP
12. Mr. Seng Saly - supporter - went into hiding

13. Mr. Khan Rath - former police man and CNRP supporter- forced to stop all political activities
14. Mr. San Nakorn - supporter
15. Mr. Chou Vannareth - Secretary of Svay Chek committee - police came to take his picture.
16. Mr. Phong Socheat - member of provincial working group - police warned him about his anti-government comments on his Facebook account.

In Kandal

1. Mr. Ly Meng - information Officer - questioned by police for 4 hours.

In Sihanoukville

1. Mr. Chhay Roth - councillor - in pre-trial detention and charged for land grab
2. Mr. Chea Roth - councillor - in pre-trial detention and charged on land grab,

The following high school teachers in Kompong Thom affiliated with CNRP and harsh critics of the Hun Sen regime have been transferred to desk jobs:

1. Mr. Thai Thim
2. Mr. Sun Thoun

Hun Sen’s call on the armed forces, his use of state owned media and private media that he or his family control directly, and his total control of the judiciary spread fear and terror. The most fundamental human rights, freedoms and liberties are denied to the people.

Persecution of CNRP Activists



The continued pressures on two teachers, Thai Tim and Sun Thun, former Kompong Thom provincial council members for the Cambodia National Rescue Party to defect to the ruling party have forced them to publicly announced that they would no longer participate in any political activities organized by the opposition as of 30 June.

We have strong evidence that the provincial governor has ordered the district department of education to expel the two teachers. They had already been demoted following the dissolution of the CNRP in 2017.

On 28 June, 2019 Mr. Sun Thun was tricked by four unknown men who asked to be shown a piece of land they were interested in purchasing. Mr. Sun agreed to show them the way and got into their car. On the way he was severely attacked and would not have survived had villagers not intervened. Mr. Sun was kept under surveillance and questioned by the police for several days. His family was not allowed a visit. He has since been freed.

This case is well covered by local and international media <https://www.phnompenhpost.com/national-politics/former-cnrp-council-members-depart-politics>

The pressures on the teachers in support of the opposition escalated when eleven teachers requested leave of absence from the Ministry of Education to run as CNRP candidates for the 2017 local elections or campaigned actively for the party. In January 2018, Hang Chuon Naron, Minister of Education expelled them from their positions citing unauthorized leave of absence. However, the ministry failed to hear their case despite various requests.

The Phnom Penh Court has dismissed their case. They have taken their case to the Appeals Court.

<https://www.phnompenhpost.com/national/international-unions-urge-education-ministry-reinstate-ex-cnrp-teachers>

In March 2019, the International Trade Union Confederation (ITUC) and Education International (EI) consider their termination to be in violation of ILO Convention No. 87 on freedom of association.

The Minister of Education should be questioned for his hasty decision based purely on political discrimination. The status as civil servants of teachers as well as their rights of association and their political rights are protected by national and international laws. Their physical safety must be protected in order for them to live a normal life. They should be re-instated as civil servants and given due value as teachers. They have invested many years in their career and the commitment in a profession that is of much value to the future of Cambodian youths.