

JOINT STATEMENT: On the first anniversary of the grossly unjust imprisonment of land activist and human rights defender Tep Vanny, civil society organizations call for her release #FreeTepVanny

Phnom Penh, 14 August 2017 — Tep Vanny, one of Cambodia’s most prominent land activists and human rights defenders, will have spent one year in prison on 15 August for defending her community and exercising her human rights. We, the undersigned, condemn her arbitrary imprisonment. We call for her convictions to be overturned, for all ongoing politically motivated and unsubstantiated charges against her to be dropped, and for her immediate release from prison.

Tep Vanny has fought tirelessly to protect the rights of members of the Boeung Kak Lake community, following their forced eviction from their homes in Phnom Penh. More recently, she played a leading role in the so-called ‘Black Monday’ campaign, challenging the arbitrary pre-trial detention of five human rights defenders, Lim Mony, Ny Sokha, Yi Soksan, Nay Vanda, and Ny Chakrya ([the “Freethe5KH” detainees](#)).

On 22 August 2016, following her arrest at a protest calling for the release of the five, she was convicted of ‘insulting of a public official’, and sentenced to six days in prison. However, instead of releasing her based on time served, the authorities reactivated dormant charges dating back to a 2013 protest and kept her in detention.

“It is clear that the authorities are using the courts to lock me up, silence my freedom of expression and break my spirit” said Tep Vanny. *They want to stop me from advocating and seeking a solution for the remaining people from Boeung Kak Lake as well as other campaigns to demand justice in our society.”*

On 19 September 2016, Tep Vanny was sentenced, along with three other Boeung Kak Lake community activists, to six months imprisonment for “insulting and obstructing public officials” in a reactivated case related to a 2011 peaceful protest calling for a resolution to the Boeung Kak Lake land dispute, despite the absence of credible inculpatory evidence. This conviction has since been upheld by the Court of Appeal on 27 February 2017. On 23 February 2017, following proceedings which fell short of fair trial standards,¹ Tep Vanny was convicted of “intentional violence with aggravating circumstances”, sentenced to a further 30 months in prison and fined more than 14 million riel (about US \$3,500 – or twice the annual minimum wage in Cambodia) for having peacefully participated in protests calling for the release of her fellow activist Yorm Bopha, back in 2013.

While the #FreeThe5KH human rights defenders were released on bail on 29 June 2017, after having spent 427 days in arbitrary detention,² Tep Vanny remains in prison. She is currently on trial in a third reactivated case, facing charges of “public insult” and “death threats” brought by another

¹ Joint statement by civil society group, ‘Tep Vanny convicted again as para-police attacks supporters’ (23 Feb 2017), <http://bit.ly/2lcS2TL>.

² Press release by #Freethe5KH Campaign, welcoming their release and calling for all charges to be dropped (30 Jun 2017), <http://bit.ly/2thSwjg>.

member of the Boeung Kak Lake community, despite the complaint having been dropped by the community member.³ On 8 August 2017, the Court of Appeal upheld her February 2017 conviction.

Human rights defenders, like any other person, should enjoy all the fundamental freedoms and rights guaranteed by international human rights law and the Constitution of Cambodia. This includes the rights to freedom of expression, peaceful assembly and association guaranteed by the International Covenant on Civil and Political Rights, to which Cambodia is a State Party. The UN Declaration on Human Rights Defenders⁴ affirms the right to promote and strive for the protection and realization of human rights and fundamental freedoms, as well as the duty of all states to allow them to work peacefully and safely, and to protect them from arrest, violence, threats, retaliation and any discrimination. In 2013, the UN General Assembly specifically recognized the valuable work of women human rights defenders, and the systemic and structural discrimination and violence they face, and called on States to ensure they can perform their important role.⁵

Human rights defenders are regularly subject to harassment through the criminal judicial system in Cambodia. Among the most commonly used tactics are suspended sentences and arbitrary resurrection of dormant charges which are used to intimidate human rights defenders and deter them from further activities. Tep Vanny's current imprisonment is only the latest in a series of acts of harassment aimed at silencing her. It contributes to creating an atmosphere of fear for human rights defenders and other individuals throughout Cambodia. As a result of her imprisonment, Tep Vanny is prevented from carrying out her peaceful and valuable work as a woman human rights defender. Peaceful protest and expressions of dissent are not a crime, and human rights defenders should not be penalized for the exercise of their human rights.

"Tep Vanny is innocent. She is a woman who is greatly committed to fulfilling her duty as a citizen. Yet, she has been imprisoned three times already, because of the Cambodian judicial system" said Song Sreyleap, a fellow Boeung Kak Lake community activist. *"Tep Vanny is the only woman activist in Cambodia who has been imprisoned and arrested so many times. This is very unjust for her; her children have to live without the mother's care for one year. However, even with all the threats, her will remains unchanged."*

We call on the Cambodian authorities to quash the convictions of Tep Vanny, to release her from prison, and to cease their harassment of Tep Vanny and other Boeung Kak Lake activists through arrests, prosecution and imprisonment.

This joint statement is endorsed by:

1. Adil Soz - International Foundation for Protection of Freedom of Speech
2. Amnesty International

³ Joint press release: 'Cambodia: drop charges against land rights defenders' (14 Jul 2017), <http://bit.ly/2uzdXgb>.

⁴ United Nations General Assembly Resolution, 'Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms' (8 Mar 1999), <http://bit.ly/19w8LEm>.

⁵ United Nations General Assembly Resolution 'Promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights defenders', (18 Dec 2013), <http://goo.gl/yz4xwt>.

3. ARTICLE 19
4. ASEAN Parliamentarians for Human Rights (APHR)
5. Association of Caribbean Media Workers
6. Boeung Bram community
7. Boeung Chhouk Community
8. Boeung Kak Community
9. Boeung Trabek Community
10. CamASEAN Youth's Future
11. Cambodia Development People Life Association (CDPLA)
12. Cambodia Indigenous Youth Association (CIYA)
13. Cambodian Alliance Trade Unions (CATU)
14. Cambodian Center for Human Rights
15. Cambodian Domestic Workers Network (CDWN)
16. Cambodian Food and Service Workers' Federation (CFSWF)
17. Cambodian Human Rights and Development Association (ADHOC)
18. Cambodian Independent Teacher Association (CITA)
19. Cambodian Informal Economic Workers Association (CIEWA)
20. Cambodian Labour Confederation (CLC)
21. Cambodian League for the Promotion and Defense of Human Rights
22. Canadian Journalists for Free Expression
23. Cartoonists Rights Network International
24. Center for Alliance of Labor and Human Rights (CENTRAL)
25. Center for Independent Journalism - Romania
26. Centro de Reportes Informativos sobre Guatemala - CERIGUA
27. Digital Rights Foundation
28. Equitable Cambodia (EC)
29. FIDH, within the framework of the Observatory for the Protection of Human Rights Defender
30. Foundation for Press Freedom - FLIP
31. Free Media Movement

32. Freedom Forum
33. Gender and Development for Cambodia (GADC)
34. Globe International Center
35. Housing Rights Task Force (HRTF)
36. Human Rights Watch
37. Independent Journalism Center - Moldova
38. Independent Monk Network for Social Justice (IMNSJ)
39. Indigenous Youth at Brome Commune, Preah Vihear Province
40. International Commission of Jurists (ICJ)
41. International Press Centre (IPC)
42. Khmer Kampuchea Krom for Human Rights and Development Association (KKKHRDA)
43. Kuoy Ethnic Community, Prame Village, Preah Vihear Province
44. Land Community, Prek Chik Village, Chikhor Kraom Commune, Koh Kong Province
45. Land Conflict Community, Krenh Village, Pailin Province
46. Land Conflict Community, Skun Village, Siem Reap
47. Lor Peang community, Kampong Chhnang Province
48. Media Institute of Southern Africa (MISA)
49. National Union of Somali Journalists (NUSOJ)
50. Norwegian PEN
51. PEN American Center
52. PEN Canada
53. Ponlok Khmer
54. Railway Station, Toul Sangkae A community
55. Reach Sey Samaky Land Community Romchek Village, Battambang
56. Samakum Teang Tnaut (STT)
57. SFLC.in
58. SOS International Airport Community
59. Southeast Asian Press Alliance
60. The Alliance for Conflict Transformation (ACT)

61. The Asia Democracy Network
62. The Building and Wood Workers Trade Union (BWTU)
63. Vigilance pour la Démocratie et l'État Civique
64. World Association of Community Radio Broadcasters - AMARC
65. World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders