

# Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

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22 July 2013

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Your Excellencies:

**Re: Mr. Kuch Veng, human rights defender**

I am writing on behalf of Lawyers Rights Watch Canada (LRWC), a committee of Canadian lawyers who promote human rights and the rule of law internationally. LRWC also provides support to lawyers and other human rights defenders in danger because of their advocacy.

We are following up on [our letter of 23 May 2013](#) concerning Mr. Kuch Veng (attached in English and [an excerpt in Khmer](#)). On 19 May 2013, Mr Kuch Veng, a land rights activist, community forestry leader and member of the Community Peace Network, was arrested by four police officers at Kbal Trach commune, Krako district, Pursat village. At the time of the arrest, Mr. Kuch Veng was visiting villagers affected by the community's land conflict with the Pheapimex Company Ltd, owned by Ms. Choeung Sopheap (also known as Yeay Phu), wife of Cambodia People's Party Senator, Mr Lao Meng Khin. Police officers reportedly did not show an arrest warrant or state the reason for the arrest. Kuch Veng was later sent to the Pursat Provincial Court at 9:00 am on 20 May 2013. He has not been released. We understand that a trial was scheduled for 10 July 2013, but that this trial was postponed pending a decision from the investigating chamber of the court. We understand that a hearing is to be held 23 July 2013 at the Appeal Court in this matter.

We remind you that whether or not charges in relation to 2010 allegations against him are accepted by the court, Kuch Veng is entitled to the presumption of innocence and to release pending hearings or trial pursuant to the

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provisions of the International Covenant on Civil and Political Rights (ICCPR) to which Cambodia is a party. We refer you to the attached letter of 23 May 2013 for more detail about the applicable law in this case.

LRWC requests all necessary steps be immediately taken to:

- Immediately release Mr. Kuch Veng;
- Withdraw the false allegations for which Kuch Veng is being investigated;
- Ensure that all judges, prosecutors and other officials in this case are properly mandated and empowered to act independently and in accordance with law, including legal obligations to adhere to Cambodia's Constitution and international obligations arising from or recognized by, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Basic Principles on the Independence of the Judiciary. Ensure that Kuch Veng is provided with proper and adequate medical attention;
- Ensure the physical and psychological safety and wellbeing of Kuch Veng.

LRWC also requests that your government also ensure: 1) the safety of all human rights defenders advocating for community and individual rights to the occupation and use of lands and resources; 2) an immediate halt to all forms of intimidation and harassment of human rights defenders including land rights advocates, journalists and others calling for adherence to Cambodia's international and domestic law obligations.

Yours sincerely,



Gail Davidson  
Executive Director  
Lawyers' Rights Watch Canada

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