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## Statement of Yeng Virak, Executive Director of the Community Legal Education Center

January 13, 2006

FOR IMMEDIATE RELEASE

I am very pleased to be released from prison, and wish to thank all the Cambodian people, and the civil society organizations, the international community and donors, who supported me during my 11-day incarceration. This experience made me stronger, and I look forward to doing all I can to promote human rights and democracy in Cambodia.

While I am now out of prison, defamation charges against me remain. Furthermore, I can not forget about those who remain in prison on similar defamation charges: Kem Sokha, Pa Nguon Teang, Mam Sonando and Rong Chhun. So long as I am free and they remain behind bars, I will do everything I can to work for their release.

With this in mind, I make the following clear and simple requests to the three branches of the Government of Cambodia:

1. Immediately release Kem Sokha, Pa Nguon Teang, Mam Sonando, Rong Chhun;
2. Drop the defamation charges against all those charged with criminal defamation;
3. De-criminalize defamation. The criminalization of defamation is inconsistent with both the Cambodian Constitution and international human rights law.<sup>1</sup> Thus, Article 63 of the UNTAC law should be repealed, and no future criminal defamation laws should be enacted.

I call on all civil society organizations, donors, investors and the international community to join me in making these requests to the government.

Finally, I want to speak to the issue of stability. Some say that achieving stability is the highest priority of government, and then use this argument to justify the silencing of any voices of dissent. I agree that stability is important. But stability is not created by the short-term stifling of dissenting views; in fact, such stifling has the opposite effect. Rather, stability is achieved by the long-term ability of a society to tolerate multiple voices and

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<sup>1</sup> Article 41 of the Cambodian Constitution explicitly guarantees freedom of expression. Freedom of expression is further guaranteed by Article 31 of the Cambodian Constitution, which incorporates covenants and conventions related to human rights, including Article 19 of both the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights.

views, and incorporate those differing perspectives into the ongoing development that all democratic societies experience.

The issues involved in my case, and of those still in detention, are not political issues. They are questions about Cambodia's ability to develop the institutions, values and tolerance that are essential for a democratic society. In this pursuit I look forward to continuing to work with the Cambodian government, with Cambodian citizens, and with all other interested parties.