



Mr. Thon Ratha (in red shirt) at the Phnom Penh Municipal Court. (Photo by [cambojanews.com](http://cambojanews.com))



Reaksmeay (left) and Kunthea (right) on the way to their hearing at the Supreme court. (Photo by [khmertimes.kh](http://khmertimes.kh))

## THREE MOTHER NATURE ACTIVISTS

*Mr. Thon Rotha, Ms. Long Kunthea, and Ms. Phoun Keo Raksmeay*

*Young environment defenders from Mother Nature Cambodia*

### THE VICTIMS

Thon Rotha, 29, married and raising a year-old son, is an environmental activist from Dom Dek district, Kandal province. He joined Mother Nature Cambodia in 2015.

Ms. Long Kunthea, 23, quit her job as a primary school teacher to join Mother Nature Cambodia because of her passion to protect the environment's natural resources. She hails from Kompong Cham province.

Phoun Keo Raksmeay, 19, is a native of Svay Rieng Province and an Information Technology student at a university in Phnom Penh. Her involvement in civic activities to protect natural resources and her interest in social justice

issues motivated her to become an environmental activist for Mother Nature Cambodia in mid-2019.

The three activists were behind the group's video exposé released on Facebook raising alarm over reclamation projects on Ta Mok Lake, one of the remaining large lakes in the country's capital Phnom Penh. From 2016 to 2020, hundreds of thousands of square meters and several hectares of lake areas have been allocated to state and private business projects. The lake provides livelihood to hundreds of fishing families living in 25 villages, an important habitat for bird species, and a vital reservoir to prevent flooding.

## THE VIOLATION

**Type of violation:** Illegal arrest and detention; trumped-up charges based on "incitement to commit a felony or disturb " under Articles 494 and 495 of the Penal Code on 6th September.

**Date and Place of incident:** September 3, 2020, Chbar Ampov district, Phnom Penh

**Perpetrator:** Phnom Penh authorities



Reaksmeay (left) and Kunthea (right) at the Phnom Penh Municipal Commissioner. (Photo by tnaot.com)

## THE INCIDENT

After posting in social media that they plan to march from Wat Phnom to the house of Prime Minister Hun Sen to raise awareness on the negative impacts of unhampered filling in of Ta Mok Lake, the three activists were arrested on separate occasions on September 3, 2020. The arrest happened when they had not even embarked on their protest march. Kunthea and Raksmeay were nabbed at the latter's aunt's house in Chbar Ampov district while Rotha was seized.

On the third day after their arrest, they found out that Reasmey and Kunthea were at Chbar Ampov district police station. They only found Rotha a few hours after they were sent to Phnom Penh, Municipal Commissioner.

On September 6, 2020, the three activists were charged under articles 494 and 495 of the Criminal Code after a three-day pre-trial detention ordered by the Phnom Penh Municipal Court judge. The criminal case - direct incitement to commit a felony or disturb social security - metes out a punishment of imprisonment between six months to two years.

The Appeals Court on September 20, 2020 denied the victims' application for bail and rejected their request for the case against them to be dismissed. The Director of Cambodian Center for Human Rights insisted that the environmental defenders should be released on bail, adding that they should not have been arrested in the first place because they were merely exercising their basic human rights to peaceably assemble and express their opinions. And that instead of warranting a criminal case, their actions should be seen as active youth involvement on relevant issues of society like protection of the environment.

With the case now brought to the Supreme Court, the three activists continue to assert that their work and, in particular, the Ta Mok Lake advocacy video is not intended to incite chaos targeting the government but to raise public concern over a pressing environmental problem.