

OVERSEAS PRESS CLUB OF CAMBODIA

OPCC concerned over defamation case

PHNOM PENH – The Overseas Press Club of Cambodia (OPCC) is concerned about the potential implications of the pending defamation case involving a Phnom Penh-based journalist, which could set an important precedent for freedom of expression on the internet in Cambodia.

Rupert Winchester, an English journalist based in Phnom Penh, has been sued for defamation by Etienne Chenevier, a French businessman, over a June 2013 posting on his personal blog. Winchester, a former reporter for the *Phnom Penh Post*, had previously reported on a real estate development being undertaken by Chenevier's company CityStar. Under Cambodian law, the crime of "public defamation" carries fines of between 100,000 and 10 million riels (between \$25 and \$2,500). A verdict in the case will be handed down at Phnom Penh Municipal Court on Tuesday.

The OPCC is concerned that a conviction could set a bad precedent for the expression of personal commentary on blogs and social media in Cambodia. "With the government gearing up to pass a draft Cybercrime Law that falls well below international standards for privacy and freedom of expression, a guilty verdict against Winchester will have a further chilling effect on what is said or written on the internet in Cambodia, by journalists or anybody else," said OPCC President Rick Valenzuela. "It would send the message that no online communication, however limited, lies

beyond the reach of potential legal sanction by those with the resources to press charges.”

The OPCC hopes that the judge in the case will take into consideration the right to freedom of expression, which is guaranteed in Cambodia’s Constitution and other national legislation.

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