



January 2008

country summary

Cambodia

Ten years after the 1997 coup, in which Prime Minister Hun Sen ousted his then co-Prime Minister Norodom Ranariddh, impunity for human rights violations in Cambodia remains the rule. 2007 was marked by ongoing illegal confiscation of farmers' land, forced evictions of urban poor, and attacks on rights defenders, as well as the murders of a trade union leader, a community forestry activist, and a monk. The judiciary continued to operate at the behest of the executive, and no progress was made to address rampant corruption or widespread plundering of natural resources. More than halfway through its three-year mandate, the Khmer Rouge Tribunal faced serious allegations of corruption and government interference.

Commune council elections, held in April with less political violence than in the past, were won by Hun Sen's ruling Cambodian Peoples Party (CPP). Ranariddh remained abroad, and in March was sentenced in absentia to 18 months' imprisonment for breach of trust over the sale of his former party's headquarters.

Suppression of Freedom of Expression, Association, and Assembly

The government continues to control all television and most radio stations, with media that criticized the government subject to suspension or threats of legal action. In June 2007 the government banned dissemination of a report by the international nongovernmental organization (NGO) Global Witness that alleged complicity of top government officials in illegal logging. Journalists who covered the report and people who helped prepare it received anonymous death threats. The French-language newspaper *Cambodge Soir* suspended publication in June after a staff strike protesting a reporter's dismissal for covering the report.

In August a reporter in Pursat was the victim of two attempted arson attacks on his home, which the commune police chief attributed to the reporter's logging coverage. Community activists involved in forest protection who came under attack included

Seng Sarom, murdered in July in Stung Treng, and Sath Savuth, forced to flee his Oddar Meanchey home after a grenade was thrown at it in July.

In July the government-controlled Cambodian Bar Association claimed that lawyers cannot be legally employed by NGOs or provide legal services unless the NGO has signed an agreement with the Association. In June Finance Minister Keat Chhon's sister, Keat Kolney, filed a complaint with the Association against nine legal aid lawyers, accusing them of "inciting" villagers to file complaints against her in a Ratanakiri land dispute.

On February 24 Hy Vuthy, president of the Free Trade Union of Workers in the Kingdom of Cambodia (FTUWKC) at the Suntex factory in Phnom Penh, was shot dead. He was the third FTUWKC official to be killed in three years. In May riot police dispersed 1,000 striking workers from a factory in Kandal protesting the firing of workers organizing a union there.

Authorities continue to disperse or reject requests for many demonstrations. In October the government approved a demonstrations law that requires organizers to give local authorities five days' notice and holds organizers responsible for any misconduct that occurs.

Crackdown on Kampuchea Krom Monks

On February 27, 2007, heavily armed police dispersed a demonstration near the Vietnamese Embassy in Phnom Penh by Kampuchea Krom (ethnic Khmer originally from Vietnam) monks. They were protesting religious and ethnic persecution in Vietnam. That night one of the protesting monks, Eang Sok Thoeun, was found dead in his pagoda. Police labeled it a suicide, ordered his immediate burial, and prohibited monks from conducting funeral proceedings. On April 20 Phnom Penh police forcefully dispersed another Kampuchea Krom protest in which counter-demonstrators physically attacked the monks. In June Cambodia's Supreme Buddhist Patriarch Tep Vong and the Ministry of Cults and Religion issued an order banning monks from participating in demonstrations.

On June 30, Cambodian officials defrocked Kampuchea Krom monk Tim Sakhorn, a Cambodian citizen who was the representative of the Khmer Kampuchea Krom Federation (KKF) in Takeo, and escorted him to the border. Tep Vong alleged that Sakhorn had conducted propaganda harming Cambodia-Vietnam friendship by allegedly distributing leaflets about the KKF. In November Sakhorn was sentenced in a Vietnamese court to one year's imprisonment on charges of undermining national unity.

Rule of Law

In June 2007 the National Assembly passed a long-awaited Criminal Procedures Code, but it lacked safeguards regarding pretrial detention, rights of suspects after arrest, and extradition. In July the Constitutional Council ruled that Cambodia should consider its commitments under the Convention on the Rights of the Child when sentencing children.

Despite new eyewitness statements, in April the Appeals Court upheld the conviction of Born Samnang and Sok Sam Oeun for the murder of labor leader Chea Vichea in 2004. The original trial and appeals court decision were criticized for failing to meet fair trial standards by United Nations officials and rights groups.

Land Confiscation

The rural and urban poor continue to lose their land to illegal concessions awarded to foreign firms, government officials, and those with connections to government officials. Hun Sen failed to implement a public pledge made in March 2007 to dismiss CPP members involved in land grabs. On several occasions police used excessive force in evictions, such as in November when soldiers and police shot dead two unarmed villagers during a forced eviction of 317 families in Preah Vihear.

Khmer Rouge Tribunal

Five senior Khmer Rouge (KR) officials were placed in a detention facility at the Khmer Rouge Tribunal during 2007: Kaing Guek Iev (Duch), the former chief of S-21 (Tuol Sleng) prison; Pol Pot's deputy, Nuon Chea; former KR Foreign Minister Ieng Sary; former KR Social Affairs Minister Ieng Thirith; and former KR head of state Khieu

Samphan. They were all charged with crimes against humanity and war crimes, except for Ieng Thirith, who was charged only with crimes against humanity.

Problems with the work of the tribunal included serious allegations of mandatory kickbacks by Cambodian staff to government officials in exchange for their positions. In February, after the Open Society Justice Initiative (OSJI) called for an investigation of these corruption allegations, government officials threatened to bar OSJI staff from the tribunal's premises and expel their international staff from Cambodia. International pressure caused the government to back down.

The tribunal has yet to establish satisfactory victims' support and witness protection units. Trials are expected to start in April 2008.

Refugees and Asylum Seekers

Cambodia continues to violate its obligations under the Refugee Convention by forcibly returning dozens of Vietnamese Montagnards before they could apply for asylum with the UN High Commissioner for Refugees (UNHCR). As of September 2007 there were 360 Montagnards under UNHCR protection. In April three Cambodians in Ratanakiri who helped Montagnard asylum seekers make contact with UNHCR were arrested on human trafficking charges for allegedly accepting money from Montagnards. Charges were later dropped.

Key International Actors

In June 2007 international donors, whose aid covers half Cambodia's national budget, increased their annual pledge to US\$690 million, with China's pledge for the first time included as part of the formal donor package. Top donors were Japan, China, and the European Union. In June the International Monetary Fund criticized Cambodia's "high cost of informal fees" and failure to pass an anti-corruption law. In August the World Bank, which froze some funding for Cambodia in 2006 because of corruption by Cambodian officials, pledged \$70 million for poverty reduction projects.

In August an announcement by the United States that it would increase its counterterrorism cooperation with Cambodia coincided with Cambodia awarding US

petroleum giant Chevron an offshore mining contract. In February the US lifted a ban on aid to the Cambodian government instituted after the 1997 coup. New aid included Foreign Military Financing for the Cambodian military to purchase non-lethal "excess defense articles" and International Military Education and Training funds. In April the US Federal Bureau of Investigations (FBI) hosted National Police Chief Hok Lundy for counterterrorism discussions in Washington, despite Lundy's alleged involvement in political violence, drug smuggling, and human trafficking.

In March Cambodia endorsed the Oslo Declaration, which bans cluster munitions.