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AI – Amnesty International

Cambodia 2020

The extreme restrictions on civil and political rights implemented since 2017 intensified, with the new State of Emergency Law adding to a legal framework which severely impinges upon human rights. Human rights defenders, peaceful demonstrators and members of the banned opposition party continued to face harassment and intimidation through misuse of the justice system. Women’s rights came under sustained attack, as Prime Minister Hun Sen led a public campaign that used arbitrary interpretations of “tradition” and “culture” to curtail the rights of women. The ongoing anti-drug campaign led to widespread violations of fair trial rights. People arbitrarily detained in drug detention centres faced torture and other ill-treatment including inhumane living conditions. The economic impact of the COVID-19 pandemic left tens of thousands of garment workers and others at risk of destitution, particularly those holding microfinance debts.

Background

The government crackdown targeting independent media, outspoken civil society organizations and the political opposition that began in 2017 continued throughout 2020. The EU partially revoked Cambodia’s preferential free-trade status under the Everything But Arms (EBA) trade agreement, citing violations of labour rights and human rights. Per capita, Cambodia was the most microfinance-indebted country in the world.

Freedom of expression

The authorities used the COVID-19 pandemic as a pretext to further repress freedom of expression, with journalists, human rights defenders and government critics targeted for the expression of their views. Between January and March, Amnesty International documented 22 arrests, with seven people charged for allegedly sharing “false information” about the pandemic, of whom six were affiliated with the banned opposition party Cambodia National Rescue Party (CNRP).¹ Journalist Sovann Rithy was arrested on 9 April and later convicted on 5 October of “incitement to commit a felony” for quoting the Prime Minister Hun Sen verbatim about the economic impact of the pandemic in the country.² In April, the Law on the Management of the Nation in a State of Emergency was promulgated in response to COVID-19, providing the government with a range of arbitrary and excessive powers in times of emergency.³

On 31 July, police arrested prominent trade unionist Rong Chhun for comments he made about the Cambodia-Viet Nam border. He was charged with “incitement to commit a felony” and remained in pre-trial detention. His arrest sparked protests which were met with a series of further arrests and charges targeting young people and environmental activists. Between 13 August and 7 September, at least 12 young activists, including a Buddhist monk and two rap artists, were arrested and charged with “incitement to commit a felony”, and placed in pre-trial detention.⁴ Both rap artists were later convicted. Other human rights defenders fled Cambodia in order to escape prosecution. Luon Sovath, a Martin Ennals Award winner and renowned activist monk, was forced to flee into exile after authorities in the city of Siem Reap sought to defrock and charge him on the basis of spurious allegations of sexual misconduct.

Freedom of association

Members of the banned CNRP faced continued arbitrary criminalization and increasing levels of physical violence. CNRP president Kem Sokha faced trial on trumped-up treason charges in January, and his trial remained ongoing. CNRP co-founder Sam Rainsy and over 100 CNRP politicians remained banned from participating in politics following the party’s dissolution in 2017. Judicial harassment against former CNRP politicians and activists intensified in November as at least 126 CNRP-affiliated individuals were summoned in a series of politically-motivated mass trials on treason and incitement-related charges. Severe physical assaults of individuals affiliated with the CNRP continued, with no one arrested or investigated for any of the attacks.

The repressive Law on Associations and NGOs (LANGO) continued to be used to stifle freedom of association. Environmental activists working to expose rampant illegal logging in the Prey Lang rainforest faced arbitrary detention and physical assaults by both state authorities and corporate actors.⁵ In September, the Ministry of Interior characterized grassroots groups Mother Nature Cambodia and Khmer Thavrak as illegal organizations because they had not registered under LANGO.

Women’s rights

Hun Sen led a public attack on women’s rights, invoking arbitrary notions of “tradition” and “culture” to justify the policing of women’s bodies and choices. In a speech in January, he ordered the authorities to take action against women who allegedly wore “revealing” clothing while selling products on Facebook. Days later, authorities arrested and arbitrarily charged Facebook seller Ven Rachna with producing “pornography” on the basis of her clothing.⁶ In June, attacks on women’s rights intensified when the government released a draft of Cambodia’s proposed Law on Public Order. The draft prohibited women from wearing clothes that were “too short” or “too see-through”. Despite this oppressive environment, many women and girls engaged in online protest against the draft law, which was still pending at year end.

Right to health

Detention conditions characterized by overcrowding and ill-treatment continued to systematically violate detainees’ right to health. The government’s anti-drug campaign, which was rife with torture, other ill-treatment and fair trial rights violations, entered its fourth year, exacerbating the overcrowding crisis in prisons and drug detention centres. The campaign, which emphasized criminalization rather than measures protecting the right to health, disproportionately impacted women and poor and at-risk populations, including children, sex workers and people living with HIV.⁷

Amid the COVID-19 pandemic, in May Cambodia’s ministers of justice and interior revealed plans to reduce prison overcrowding.⁸ However, progress was limited and the practice of arbitrarily detaining people who used drugs, without charge, continued.

Economic, social and cultural rights

The economic impact of the COVID-19 pandemic, combined with the partial revocation of EBA trade preferences, adversely affected the country’s crucial garment sector, leaving tens of thousands of workers, the majority of whom were women, out of work. Workers’ socio-economic insecurity was exacerbated by ballooning levels of microfinance debt, which many were unable to repay as a result of the loss of income. NGOs and unions criticized the government for a failure to protect those at risk of homelessness and destitution because of the widespread practice of microfinance institutions using land titles as collateral for loans. These developments put at risk the right to an adequate standard of living for millions of workers and their dependents. People dependent on fishing and small-scale agriculture also saw their livelihoods seriously threatened by the increasing impacts of climate change combined with development projects, including hydroelectric dams.

Enforced disappearances

On 4 June, Wanchalearm Satsaksit, a 37-year-old Thai opposition activist living in exile in Cambodia, was abducted by unidentified persons in the capital, Phnom Penh. His whereabouts remained unknown. On 15 July, a group of UN experts wrote to the Cambodian authorities expressing deep concerns about the “lack of progress in the investigation into the alleged abduction and enforced disappearance”. As of December, the authorities had made negligible progress in the investigation.⁹

1. [Cambodia: Overcrowded detention centres a ticking time bomb for COVID-19 amid raft of ‘fake news’ arrests \(News story, 27 March\)](#)
2. [Cambodia’s Government Should Stop Silencing Journalists, Media Outlets \(ASA 23/3294/2020\)](#)
3. [Cambodia: Proposed emergency powers would obliterate human rights \(News story, 2 April\)](#)
4. [Cambodia: Youth targeted in ‘shocking’ wave of arrests \(News story, 10 September\)](#)
5. [Cambodia: Harassment of forest defenders undermines struggle against climate change \(ASA 23/2004/2020\)](#)
6. [Cambodia: Drop discriminatory ‘pornography’ charges against Facebook seller \(News story, 21 February\)](#)
7. [Cambodia: Substance abuses: the human cost of Cambodia’s anti-drug campaign \(ASA 23/2220/2020\)](#)
8. [Cambodian authorities must follow through with release of prisoners amid COVID-19 \(ASA 23/2768/2020\)](#)
9. [Cambodia: Probe into Thai exile’s enforced disappearance moving at snail’s pace, has glaring gaps \(News story, 8 December\)](#)

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