

2023 Country Report on Human Rights Practices: Cambodia

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Cambodia during the year.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners or detainees; transnational repression against individuals in another country; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious restrictions on freedom of expression and media freedom, including threats of violence against journalists, unjustified arrests of journalists, censorship, and enforcement of criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; restrictions on freedom of movement and residence and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on and harassment of domestic and international human rights organizations; extensive gender-based violence; trafficking in persons; significant and systematic restrictions on workers' freedom of association; and the existence of the worst forms of child labor.

The government did not take credible steps or action to identify and punish officials who may have committed human rights abuses.

Section 1.

Respect for the Integrity of the Person

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

In contrast with 2022, there were no reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings. There were, however, deaths in prison that raised suspicions of fatal abuse.

B. DISAPPEARANCE

There were no reports of disappearances by or on behalf of government authorities.

More than three years after prominent Thai activist Wanchalearm Satsaksit's abduction in Cambodia in 2020, the government provided no significant update of its investigation, despite constant appeals by his family and local human rights defenders.

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES

The constitution prohibited such practices, but there were credible reports that government officials employed them.

Nongovernmental organizations (NGOs) reported military police and civilian law enforcement officials used physical and psychological abuse, including during interrogations. Victims turned to social media to draw public attention to their cases rather than working through human rights NGOs. In August a journalist reported via Facebook on a case in which police allegedly arrested two men in Phnom Penh and accused them of using drugs. Police allegedly beat the two individuals and demanded a bribe to close the case.

A local NGO recorded four cases of alleged torture from January to June involving members of political opposition groups and human rights activists. NGO reports claimed members of certain groups, especially the opposition and human rights activists, were most likely to be tortured in detention. A young man arrested on drug charges in August was taken to a Banteay Meanchey provincial hospital where he died after suffering a “heart attack.” A medical NGO disputed that finding, and alleged the victim was abused as evidenced by a photograph that showed bruises on his chest and blood in his mouth.

A local NGO recorded several cases of cruel and degrading treatment of political opposition supporters from January to June.

Although the law required police, prosecutors, and judges to investigate all complaints of official abuse, government officials and their family members enjoyed impunity for human rights abuses. Judges and prosecutors conducted investigations only when there was public outcry or when a senior government official took a personal interest, and in those there were frequent allegations of interference by senior officials. Judges often passed down verdicts in abuse cases based predominately on written reports from police.

Prison and Detention Center Conditions

Prison conditions throughout the country remained harsh due to gross overcrowding, physical abuse, inadequate sanitary conditions, inadequate food, lack of clean water, and rampant corruption.

Abusive Physical Conditions: Gross overcrowding remained a problem. As of July, there were more than 45,000 prisoners in a 28-prison system designed to accommodate 11,000.

Some human rights NGOs speculated shortages of food and sundries were designed to force prisoners and detainees to purchase the items from guards and other prison officials at inflated prices. A few NGOs also alleged some prison officials acted as loan sharks. Family members seeking to provide incarcerated relatives necessities often had to pay bribes to prison officials. An NGO reported that an estimated 11 prisons were unable to provide clean water to inmates. A local NGO in Banteay Meanchey Province reported some prisoners developed skin diseases due to a lack of clean water for bathing. Prisons across the country lacked adequate facilities to support persons with disabilities.

Most NGO observers agreed that many patients in government, private, and NGO-run inpatient rehabilitation centers were involuntarily detained or committed by police or family members. Observers noted that employees at rehabilitation centers frequently controlled detainees with physical restraints and subjected them to intense physical exercise or labor.

Administration: There was little evidence to support the government’s assertion it investigated allegations of mistreatment and monitored prison and detention center conditions.

Independent Monitoring: The government allowed international and domestic human rights groups to visit prisons with restrictions. Representatives of the UN Office of the High Commissioner for Human Rights reported they could visit prisons and hold private meetings with prisoners of interest, in accordance with an agreement with the General Department of Prisons. Some NGOs, especially locally based organizations, reported limited cooperation from local authorities that made it difficult to gain access to pretrial detainees.

D. ARBITRARY ARREST OR DETENTION

The law prohibited arbitrary arrest and detention and limited pretrial detention to a maximum of 18 months. The government did not observe these requirements.

Arrest Procedures and Treatment of Detainees

The law required police to obtain a warrant from an investigating judge prior to making an arrest unless police apprehended a suspect in the act of committing a crime. The law allowed police to hold suspects for up to 48 hours to facilitate an investigation, excluding weekends and government holidays, before police had to file charges or release a suspect. In felony cases of exceptional circumstances prescribed by law, police could detain a suspect for an additional 24 hours with the approval of a prosecutor. Nevertheless, authorities routinely held persons for extended periods before charging them.

There was a bail system, but many prisoners, especially those without legal representation, had no opportunity to seek release on bail. Authorities routinely denied bail in politically sensitive cases, leading to lengthy pretrial detention.

Authorities occasionally held detainees without legal representation.

Arbitrary Arrest: As of October, one local human rights NGO recorded 40 arbitrary arrests of 28 political activists, 11 persons whose land had been taken, and one union member. Another local NGO recorded two illegal arrests and five illegal detentions. Human rights NGOs estimated that the actual number of arbitrary arrests and detentions was much higher but due to fear of reprisal, victims and their families chose not to report incidents.

The government continued to arbitrarily charge individuals with “incitement,” using the law to levy criminal charges against political opposition leaders and their supporters, labor and environmental activists, and persons who made comments deemed politically objectionable. The law criminalized the “direct incitement to commit a felony or disturb social security,” a vague term commonly used to suppress and punish peaceful political speech and dissent.

Pretrial Detention: Lengthy pretrial detention was common and, in some cases, was longer than the minimum sentence for the offense. Government officials stated prolonged detentions were frequently the result of the limited capacity of the court system. In addition to systemic delays, refusal to grant bail also contributed to excessive pretrial detention. For example, in cases of “incitement,” individuals were rarely granted bail, according to reports; most “incitement” suspects in the country were held in pretrial detention until the end of their trial, almost always beyond the statutory minimum sentence of six months.

E. DENIAL OF FAIR PUBLIC TRIAL

The constitution provided for an independent judiciary, but the government generally did not respect judicial independence and impartiality. Court decisions were often subject to political influence. Judicial officials, up to and including the chief of the Supreme Court, simultaneously held senior positions in the ruling Cambodian People’s Party (CPP). Observers assessed only those with strong ties to the CPP or personal relationships with senior officials received judicial

appointments. Corruption among judges, prosecutors, and court officials was widespread. The judicial branch was inefficient and could not ensure due process or fair trials. At times the outcome of trials appeared predetermined, especially in cases involving former members of the Cambodian National Rescue Party, dissolved by the government in 2017.

Court delays and corrupt practices often allowed accused persons to escape prosecution. NGOs believed court officials focused on cases that might benefit them financially. There were widespread allegations that rich or powerful defendants, including members of the security forces, often paid victims and authorities to drop criminal charges. These allegations were supported by NGO reports and instances of wealthy defendants appearing free in public after their high-profile arrests were reported in media (and absent additional coverage of court proceedings or verdicts in their cases).

Authorities sometimes urged victims or their families to accept financial restitution in exchange for dropping criminal charges or for failing to appear as witnesses.

Trial Procedures

While the law provided for the right to a fair and public trial, the judiciary generally did not enforce this right.

Trials were rarely carried out in a manner that presumed a defendants' innocence and defendants were often not notified of their charges promptly, as the law stipulated. Trials were not always public nor made known to the public. Although defendants had the right to be present at their trials, the law allowed trials in absentia. Courts at times convicted suspects in absentia with no defense representation. The right to an attorney was often not enforced. In felony cases, if a defendant could not afford an attorney, the law required the court to provide free legal representation; however, the judiciary was not always able to provide legal counsel, and most defendants either sought assistance from NGOs or pro bono representation, or "voluntarily" proceeded without legal representation. In the absence of a required defense attorney in a felony case, trial courts routinely adjourned cases until defendants could secure legal representation, a process that often took months. Trials were typically perfunctory, and extensive cross-examination usually did not take place. NGOs reported that sworn written statements from witnesses and the accused in many cases constituted the only evidence presented at trials.

In some cases, authorities allegedly coerced confessions through beatings and threats, or forced defendants to sign a written confession without informing them of the content. Courts accepted forced confessions as evidence despite legal prohibitions against this practice.

The law allowed the accused to file an appeal but did not require appeals court judges to hold a trial hearing, which often resulted in significant delays.

Political Prisoners and Detainees

As of October, a local human rights NGO recorded 28 political prisoners and detainees, an estimated 15 detained since January.

F. TRANSNATIONAL REPRESSION

There were credible reports that the government engaged in transnational repression.

Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence: Unlike in previous years there were no credible allegations that the government used violence or threats of violence against individuals in other countries.

Threats, Harassment, Surveillance, and Coercion: There were reports of threats, harassment, and arbitrary surveillance by the government against individuals located outside the country. In April then Prime Minister Hun Sen threatened to remove a relative of a prominent opposition member from his position in the army. The opposition member, exiled in France, hosted a popular online show that often criticized senior members of the government.

Efforts to Control Mobility: There were reports the government, as a form of reprisal, revoked the identity documents of government critics and opposition leaders, thereby blocking their return to Cambodia and other travel.

Bilateral Pressure: There were credible reports the government exerted pressure on regional countries, seeking repatriation to Cambodia or other adverse action against specific individuals. During the year, senior government officials including then Prime Minister Hun Sen on several occasions publicly called on neighboring countries to arrest and deport exiled opposition officials if they were to travel to those countries. On July 7, Thai police arrested a Cambodian opposition party youth activist in Bangkok while he was en route to the Office of the UN High Commissioner for Refugees (UNHCR) there. The activist fled to Thailand earlier that month, reportedly to escape arrest. Prior to his leaving Cambodia, the government allegedly attempted to convince the activist to defect to the ruling CPP and issued an arrest warrant for him when he refused.

G. PROPERTY SEIZURE AND RESTITUTION

The law stated that any person who peacefully occupied private or state land (excluding public land) or inhabited state buildings without contest for five years prior to 2001 had the right to apply for definitive title to that property. Most citizens, however, lacked the knowledge and means to obtain formal title.

Early in the year, Kong Korm, a leading advisor to the opposition Candlelight Party (CLP), was forced to return his family home of 40 years to the government despite reportedly holding the title. Korm drew the ire of then Prime Minister Hun Sen and the CPP after allegedly making comments about the origins of the CPP that demonstrated “malicious intent to incite unrest,” according to the CPP in a lawsuit. The Ministry of Foreign Affairs filed a complaint with the Anti-Corruption Unit and a civil lawsuit against Korm after Hun Sen stated the property belonged to the ministry. The Foreign Ministry alleged Korm illegally built a house on land that belonged to the ministry during Korm’s tenure as foreign minister in the 1980s. Korm was threatened with further “punishment” if he did not vacate his home, leading him to transfer the land – worth an estimated \$20 million – to the government, after which all legal actions were dropped.

Provincial and district land offices continued to follow pre-2001 land registration procedures, which were not based on accurate land surveys and did not provide opportunities for public comment. Land speculation in the absence of clear title fueled disputes in every province and increased tensions between poor rural communities and domestic and international real estate speculators. Residents of some urban communities faced forced and uncompensated eviction to make way for commercial development projects.

Authorities continued to force inhabitants from disputed land despite residents’ strong legal claims to ownership and title. Some persons used the threat of legal action or eviction to intimidate poor and vulnerable persons into selling their land at below-market values.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The law prohibited such actions, but there were reports that the government failed to respect these prohibitions. NGOs reported police routinely conducted searches and seizures without warrants, in contradiction to the law which provided for the privacy of residences and correspondence and prohibited illegal searches. The government allegedly continued to leak personal correspondence

and recordings of private telephone conversations of opposition and civil society group leaders to government-aligned media.

The government also reportedly employed an informant system and, in some instances, punished or threatened to punish family members for offenses allegedly committed by relatives.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA

The constitution provided for freedom of expression, including for members of the press and other media, but the government did not generally respect this right. The government greatly restricted free expression, including by independent news media and other dissenting voices; many individuals and institutions reported widespread self-censorship, particularly on social media.

Freedom of Expression: The constitution provided for freedom of speech, yet penalized any speech deemed to damage public security. The criminal code also criminalized defamation and *lese-majeste* (insulting the king). Election laws required civil society organizations to remain “neutral” during political campaigns and prohibited them from “insulting” political parties in media.

The government arrested and prosecuted several citizens on politically motivated disinformation and misdemeanor “incitement” charges. In September, Banteay Meanchey provincial authorities arrested and charged with incitement six Candlelight Party activists soliciting support to register a new political party. Candlelight Party stated the six individuals were arrested after refusing to defect to the ruling party.

The government restricted academic freedom and political discussion at schools and universities. Scholars exercised caution when teaching politically sensitive subjects due to fear of offending politicians or government officials.

Violence and Harassment: Threats and violence against journalists and reporters was common.

From January to March, the Cambodian Center for Independent Media and the Cambodian Journalists Alliance Association recorded at least eight incidents of harassment against journalists. In the run-up to and following the February closure of one of the few remaining independent media outlets, Voice of Democracy, affiliated journalists reported an increase in harassment, especially online from CPP supporters. In one instance, a woman Voice of Democracy reporter was harassed with misogynistic language and vulgar social media posts after publishing a contentious article.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: The government, military, and ruling party owned or otherwise influenced most newspapers and broadcast media; there were few significant independent sources for news. Although the law prohibited censorship and no formal censorship system existed, the government used other means to censor media, most notably through its control of permits and licenses for journalists and media outlets not controlled directly by the government or the CPP. Private media admitted to practicing self-censorship, in part from fear of government reprisal. Reporters claimed newspaper editors told them not to write on topics that would offend the government, and reported self-censoring due to the chilling effect of recent criminal cases against journalists.

The government accused Voice of Democracy of intentionally misleading the public and subsequently revoked the outlet's media license in February. The accusation followed Voice of Democracy's report on Hun Manet's February approval of \$100,000 in earthquake assistance to Turkey on his father's behalf. The reporter who wrote the piece fled the country out of fear of reprisal, despite having directly quoted the government spokesperson in the report.

Libel/Slander Laws: The law criminalized expression that libeled or slandered the monarch (lese-majeste) and prohibited publishers and editors from disseminating stories insulting or defaming the king, government leaders, or public institutions. The government used the law to restrict public discussion on topics it deemed sensitive or against its interests. The lese-majeste law was applied arbitrarily and authorities often used it to arrest persons expressing a disfavored opinion. In March authorities arrested former opposition members Yim Sinorn and Hun Kosal and accused them of mocking the king. Both were released weeks later after delivering a public apology; they subsequently defected to the ruling CPP. On July 22, Kampong Speu provincial authorities arrested Svay Sophat, age 48, a reporter for online press outlet *Neak Mirl Phlov*, accusing him of insulting the king.

National Security: The government continued to cite "national security" concerns to justify restricting and prosecuting critics of government policies and officials. In October a senior Candlelight Party official received a 3-year sentence for a Facebook post commenting on then Prime Minister Hun Sen's relationship with Vietnam. The prosecutor theorized that the post could have incited others to mobilize and destroy monuments to Vietnamese-Cambodian friendship.

Internet Freedom

The government restricted or disrupted access to the internet and censored online content. There were also credible reports that government entities monitored online communications.

The law gave the government legal authority to monitor all telephone conversations, text messages, email, social media activity, and correspondence between individuals without their consent or a warrant. Any opinions expressed in these exchanges that the government deemed to impinge on its definition of national security could result in a maximum 15 years' imprisonment. There were several reports of government officials "crashing" private online meetings of political opposition groups.

The government had authority to shut down any social media page or website that published information leading to "turmoil in the society that [might] undermine national defense, national security, national relations with other countries, the economy, social order, discrimination, or national culture or tradition." One week before the July 23 elections, the government blocked access to nine social media accounts of at least three independent news outlets, according to Voice of America.

A "cyber war team" in the Council of Ministers' Press and Quick Reaction Unit monitored and countered "incorrect" information from news outlets and social media.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The government limited the freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

Although the constitution provided for freedom of peaceful assembly, the government restricted the right, especially for labor activists, opposition supporters, and those who had land taken from them.

The law required advance notification for protests, marches, or demonstrations, but authorities inconsistently enforced this requirement. One provision required five days' notice for most peaceful demonstrations, while another required 12 hours' notice for impromptu gatherings on private property or protests at designated venues and limited such gatherings to 200 persons. Lower-level government officials, particularly in Phnom Penh, generally denied requests unless the national government specifically authorized the gatherings. All levels of government routinely denied permits to groups critical of the ruling party. Authorities cited the need for stability and public security (terms left undefined in the law and therefore subject to wide interpretation) as reasons for denying permits. In May the opposition CLP announced it would mobilize 10,000 supporters to protest the party's possible banning. Senior government officials threatened party members with imprisonment if they attempted to gather and the party cancelled the gathering.

There were reports the government prevented associations and other NGOs from organizing human rights-related events and meetings, with local authorities denying necessary permits. Government authorities occasionally cited the law to break up meetings and training programs deemed hostile to the government.

Despite these restrictions, some unauthorized public protests took place, including against land seizures, in labor disputes, and to demand the release of political prisoners. In previous years, when unauthorized demonstrations occurred, authorities tended to act quickly and forcefully to disperse them, but there were no such reported incidents.

Freedom of Association

The constitution provided for freedom of association, but the government restricted it, targeting specifically groups it believed could be involved in political dissent. The law required all associations and other NGOs to register and to be politically neutral, which restricted the right to association and those organizations' right to free expression. For restrictions on NGOs and trade unions, see sections 5 and 7 respectively. For restrictions on political associations, see section 3.

Vague provisions in several laws prohibiting any activity that could "jeopardize peace, stability, and public order" or harm "national security, national unity, traditions, and the culture of Cambodian society" created a substantial risk of arbitrary and politicized restriction of the right of association. According to critics, the laws on associations and trade unions established heavily bureaucratic, multistep registration processes that lacked both transparency and administrative safeguards, thereby reinforcing political objections to registering groups. Laws on reporting activities and finances, including the disclosure of all successful funding proposals, financial or grant agreements, and bank accounts also imposed burdensome obligations that allowed officials to restrict or close organizations. Some NGOs and unions complained that police carefully monitored their activities and intimidated participants by sending uniformed or plainclothes police to observe their meetings and training sessions. A local NGOs reported that as of July, there were 60 instances of authorities closely monitoring private meetings.

C. FREEDOM OF RELIGION

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government retained lookout alerts in immigration systems against political opposition figures barred from participating in political

activity (many under the court decision dissolving the Cambodia National Rescue Party in 2017), resulting in the delay or denial of free movement out of the country through both land border checkpoints and airports.

E. PROTECTION OF REFUGEES

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provided for granting asylum or refugee status, and there was a system for providing protection to refugees. The system, however, was not equally accessible to all refugees and asylum seekers and was not transparent. Asylum seekers who entered the country without documentation or overstayed their visas were vulnerable to deportation. The government did not grant resident status or a resident book to refugees, only a refugee card that was generally unrecognized and did not offer access to employment, housing, banking services, and other benefits to which refugees were legally entitled.

Temporary Protection: The government provided temporary protection to 199 Afghan asylum seekers in 2022. As of August, 56 (including a child born in Cambodia) remained in the country and 143 had relocated to third countries, according to the General Department of Immigration. Two from this group returned to Afghanistan.

F. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS

Not applicable.

G. STATELESS PERSONS

The country had habitual residents who were de facto stateless. Official statistics on statelessness were not available. The government's Immigration Office reported 75,000 ethnic Vietnamese had their legal documentation revoked in 2014. The 2021 Cambodia Socio-Economic Survey reported that 47,252 stateless ethnic Vietnamese resided in Cambodia. In December 2022, Kampong Chhnang provincial authorities dismantled the houseboats of 520 families, mostly ethnic Vietnamese who long resided in the area, and relocated them to a site approximately 15 miles away. The government did not effectively implement laws or policies to provide stateless persons the opportunity to acquire or document their Cambodian nationality. According to an NGO, individuals without proof of nationality often did not have access to formal employment, education, marriage registration, or the courts, or have the right to own land.

Section 3.

Freedom to Participate in the Political Process

Although the constitution provided citizens the ability to choose their government in free and fair elections held by secret ballot and based on universal and equal suffrage, there was no such ability. By law the government could dissolve parties and ban individuals from party leadership positions and political life more broadly. The law also barred parties from using any audio, visual, or written material from a person convicted of a crime. Under the National Election Committee code of conduct, journalists could be fined if they "disrupt election processes," interview any voter inside a polling station, or publish news that could affect "political stability" or cause the public to lose confidence in the election.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: The most recent national election occurred on July 23. The largest opposition party, the CLP, was barred from contesting the election. Local and international NGOs and many foreign governments judged the election neither free nor fair, noting the disqualification of the CLP, extensive harassment and intimidation of political opposition figures and voters, and measures taken to shutter independent media outlets.

The CLP was disqualified in May from participating in the election for alleged paperwork errors in registering; observers assessed the CLP ban was intended to ensure a landslide victory for the ruling CPP.

NGOs and observers reported irregularities including voter harassment by commune or village chiefs in the run-up to elections.

Responding to calls from overseas opposition figures to boycott the election or spoil ballots, the government changed the election law weeks before balloting, imposing heavy fines on those found guilty of disrupting the election process and banning anyone who failed to vote from running for office in future elections. At least 38 opposition party members and activists were convicted of inciting voters to spoil their ballots, according to local media reports. Authorities banned 21 of these individuals, including opposition figure Sam Rainsy, from holding office for at least 20 years.

On election day, dozens of opposition supporters shared photographs of spoiled ballots on social media. Of those, at least five were reportedly arrested; as of October, it was unclear whether they were still detained.

Although campaign law required news outlets to give equal coverage to each party participating in an election, the law was not enforced during the election campaign. News outlets, mostly government owned or controlled, gave significantly greater coverage to the CPP than to other parties; in rural areas, where independent media were particularly weak, this was a significant benefit.

Intimidation of opposition personalities and supporters took physical form. Violence against opposition supporters included physical assaults in public locations and assaults on persons driving motorbikes.

The National Election Committee claimed it registered a record number of local and international observers for the election, but NGOs assessed that the vast majority of those were from the Union of Youth Federation of Cambodia, led by Hun Manet, youngest son of then Prime Minister Hun Sen. One local election watchdog reduced the number of its observers because of the banning of the CLP. The watchdog's representatives in several provinces reported CPP local officials intimidated and harassed them when they attempted to recruit local observers. Progovernment media targeted leaders of independent NGOs who monitored previous elections; the government accused them of "engaging in color revolution."

Following the closure of polls, ballots were frequently counted behind closed doors.

Political Parties and Political Participation: Independent political parties suffered from numerous abuses, described above. These contributed significantly to the CPP's effective monopolization of political power. The CLP's disqualification from the July election was the most recent step in a long-running campaign against leading opposition parties and their members.

Coercing opposition leaders to join the CPP was a long-standing tactic and prior to the July 23 general election, defections to the ruling CPP increased sharply. Most of those who defected were reportedly threatened with lawsuits or enticed with prominent government roles. Those who did not join the CPP faced financial ruin or prison if they remained in the country.

In March opposition figure Kem Sokha was sentenced to 27 years in prison on fabricated treason charges for conspiring with a “foreign power” to overthrow the government, following a more than five-year long trial.

A local election-focused NGO noted that opposition parties could not compete equally with the CPP, which, in addition to active repressive measures, drew on state resources to assist in campaigning. Local media reported, for example, that contrary to the law prohibiting any activity by a political party in educational establishments, teachers and students were asked to join CPP election campaigns.

Participation of Women and Members of Marginalized or Vulnerable Groups: No laws restricted the participation of women and members of marginalized or vulnerable groups in the political process. *Chbab Srey*, the traditional code of conduct for women; their generally low educational level; and family and domestic obligations combined to limit women’s role in politics and government. Ethnic minorities tended to receive less civic education and had lower participation rates in politics.

Women made up just over 10 percent of commune chiefs elected in 2022, a slight increase from the proportion in the 2017 communal elections. In August Khuon Sudary became the first woman president of the National Assembly. The new government was overwhelmingly male; only three women held minister positions on the cabinet. Women made up only 10 percent of the 125-member National Assembly elected in July.

Section 4.

Corruption in Government

The law provided criminal penalties for corruption by officials, but the government generally did not implement the law effectively. There were numerous reports of government corruption. In December 2022, Deputy Prime Minister Sar Kheng publicly accused the Ministry of Public Works and Transport of large-scale corruption involving collusion with construction companies to inflate road construction costs and siphon off approximately one million dollars.

Corruption: Corruption was endemic in society and government. There were reports that police, prosecutors, investigating judges, and presiding judges took bribes from owners of both legal and illegal businesses. While information on Anti-Corruption Unit investigations was generally not publicly available, following its February investigation, the governor of Baseth District was dismissed by Kampong Speu provincial authorities for illegally selling 395 acres of state land.

Meager salaries contributed to “survival corruption” among low-level officials, while a culture of impunity enabled corruption to flourish among senior officials. Those who reported or challenged suspected corruption sometimes faced criminal charges. Victims of corruption took to social media to seek support and government intervention. In May a video posted to Facebook alleged that a police officer in Battambang Province defrauded 11 individuals by promising them government positions in exchange for a total of more than \$90,000. Despite a public outcry, there was no indication that the Anti-Corruption Unit acted against the police officer as of October.

For additional information about corruption in the country, please see the Department of State’s *Investment Climate Statement* for the country, and the Department of State’s *International Narcotics Control Strategy Report*, which includes information on financial crimes. The Department of State’s *Trafficking in Persons Report* includes information on criminal activity allegedly involving corruption by government officials.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

There were multiple reports that the government did not cooperate with human rights investigations by domestic or foreign NGOs. In some cases, government officials intimidated investigators.

Approximately 25 human rights-focused NGOs operated in the country, with another 100 NGOs operating with some measure of emphasis on human rights. A few of the NGOs investigated human rights abuses.

Government Human Rights Bodies: There were three government human rights bodies: committees for the Protection of Human Rights and Reception of Complaints in both the Senate and National Assembly, and the Cambodian Human Rights Committee, which reported to the prime minister's cabinet. The Cambodian Human Rights Committee submitted government reports for international human rights review processes, such as the Universal Periodic Review, and responded to reports by international organizations and government bodies, but did not conduct independent human rights investigations. Human rights NGOs considered the government committees of limited efficacy and criticized their role in vocally justifying the government crackdown on civil society and the opposition.

Cases before the Extraordinary Chambers in the Courts of Cambodia, which was established to investigate and prosecute leaders of the former Khmer Rouge regime who were most responsible for the mass atrocities committed between 1975 and 1979, were closed in 2022. The chambers continued to operate as a residual mechanism to oversee the tribunal's winding down and the enforcement of sentences and monitoring of prisoners. Their Victim Support Section, charged with protecting victims and witnesses, continued to engage with victims who were civil parties to cases and to monitor the delivery of reparations.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: The law criminalized rape (including of men), spousal and domestic or intimate partner rape, and in some cases domestic violence. The penalty for rape was five to 30 years' imprisonment.

Rape and domestic violence were significant problems, underreported due to distrust of the judicial system and police, fear of reprisal by perpetrators, social stigma, and discrimination.

The Ministries of Information and Women's Affairs implemented a code of conduct for media reporting on gender-based violence, which banned publication of a survivor's personally identifiable information, photographs of victims, depictions of a woman's death or injury, depictions of nudity, and the use of certain words deemed offensive or disparaging to women.

Police and other government agents often condoned domestic violence and the government rarely enforced the law on domestic violence, especially violence committed by a legal wife against a mistress of her husband. NGOs reported authorities frequently avoided responding to and involvement in domestic disputes.

In February the legal wife of a man, supported by family members, beat up and forcibly disrobed her husband's alleged mistress and posted video of the beating on Facebook. The Ministry of

Women Affairs decried the act but took no legal action against the perpetrators.

Other Forms of Gender-based Violence or Harassment: Social discrimination against widows was far stronger than discrimination against widowers, according to academic studies and UN officials. Dowry-related deaths occurred during the year. Sexual harassment of women including in the workplace remained a problem. According to a UN report, the sexual harassment law was broad, vague, and inadequately enforced.

Discrimination: The law (including family, religious, marriage, inheritance, business, employment, and labor laws) provided the same legal status and rights for women as for men. The government, however, did not enforce the law effectively. Women generally held inferior roles and received lower wages than men in both the private and public sector. A United Nations Development Program survey in 2021 found that a gender pay gap persisted and women in the country earned, on average, 19 percent less for the same work than men.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Women's access to contraceptives was limited by lack of access to information, financial barriers, lack of financial resources, and fear of side effects. NGOs reported unmarried, sexually active persons were often too shy or embarrassed to ask for contraceptives at health centers, clinics, and pharmacies.

The government provided access to sexual and reproductive health services to survivors of sexual violence, and emergency contraception was available as part of the services. The government did not provide postexposure prophylaxis. There were reports that the public and survivors of sexual violence preferred NGO clinics, if available, because of chronic understaffing and poor facilities at government-run clinics. An NGO reported that the staff of government health centers was more responsive to survivors of sexual violence if an NGO representative was present.

According to the Cambodian Demographic and Health Survey, in 2021 the maternal mortality rate was 154 deaths per 100,000 live births. Major factors influencing high maternal mortality rates included shortages of adequate health facilities, medication, and skilled birth attendants.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The constitution provided for equality before the law and criminalized discrimination and violence due to "membership in a particular ethnicity, nationality, race, or religion."

Experts noted widespread negative attitudes toward nationals of the People's Republic of China (PRC), in part due to links with criminal activity, particularly in Sihanoukville city. Newspapers reported stories of crimes committed by PRC residents and business owners (mostly against fellow PRC nationals), including murder, shootings, armed robbery, gang violence, kidnapping, trafficking in persons, extortion, counterfeiting, pornography, drunk driving, and drug possession.

There were reports of discrimination against ethnic Vietnamese residents, including government destruction and forced relocation of houseboats, many of which belonged to ethnic Vietnamese fisherfolk.

One NGO representative working with ethnic minority groups said employment discrimination against members of ethnic minorities remained a problem.

INDIGENOUS PEOPLES

According to the Ministry of Rural Development, there were 24 indigenous groups in the country. Indigenous NGOs estimated the number of Indigenous persons at approximately 1 percent of the

total population. Indigenous communities reported they continued to face land appropriation, social discrimination, and economic hardship. Authorities reportedly treated Indigenous groups as political opponents if they gathered to raise their concerns with local government administrators.

The land rights of Indigenous persons or communities were not respected or protected effectively, although the law recognized collective land ownership by Indigenous communities. The government was slow to issue legal titles for such land. One NGO found that the government took 11 years to register 37 community land titles for Indigenous groups.

CHILDREN

Birth Registration: The Ministry of Interior administered the birth registration system on a nondiscriminatory basis. Not all births were registered immediately, primarily due to lack of public awareness of the importance of registering births and corruption in local government. Children of ethnic minorities and stateless persons were disproportionately unlikely to be registered.

Failure to register births resulted in the denial of public services. NGOs that serve disenfranchised communities reported authorities often denied access to education and health care services for children without birth registration. NGOs stated such persons, when adults, were also often unable to gain employment, own property, vote, or access the legal system.

Child Abuse: There were laws against child abuse, but it remained common; it remained culturally acceptable for parents, especially fathers, to violently discipline children. According to a 2022 Cambodian Demographic and Health Survey report, more than three million children aged one to 14 years experienced physical or psychological violence in their homes. Enforcement of laws prohibiting child abuse was selective due to cultural acceptability. Laws were generally only enforced when perpetrators could not pay bribes or when the crime did not involve government officials.

Child, Early, and Forced Marriage: The legal age for marriage was 20 for men and 18 for women. Men and women could marry earlier with the consent of their parents if the woman became pregnant before age 18. The government did not enforce the law effectively. According to Girls Not Brides, 19 percent of the country's residents married before age 18, and 2 percent before 15. A local NGO documented seven cases of forced marriage to Chinese nationals (followed by relocation to China) in the first half of the year.

Sexual Exploitation of Children: Sexual intercourse with a person younger than 15 was illegal, and the law prohibited the commercial sexual exploitation of children and the production or possession of child pornography. Although authorities responded to reports and attempted to enforce the law, child sexual exploitation was common. The government continued to raid brothels to identify and remove child sex trafficking victims, but the majority of child sex trafficking was clandestine, occurring in beer gardens, massage parlors, beauty salons, karaoke bars, other retail spaces, or noncommercial sites, or was arranged online. Police investigated child sex trafficking in brothels or when victims or their family members filed complaints directly but did not typically pursue more complicated cases, for example those involving online sexual exploitation. The government said it used undercover investigative techniques on a "case-by-case basis" as authorized by a judge but did not disclose details on how often this authority was used.

The country remained a destination for child sex tourism. The government prosecuted both sex tourists and residents of the country for the sexual exploitation of children.

ANTISEMITISM

A small Jewish foreign resident community lived in Phnom Penh. There were no reports of antisemitic incidents.

TRAFFICKING IN PERSONS

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

FORCED ORGAN HARVESTING

In July media reported Cambodian and Indonesian police were investigating alleged illegal organ trading by traffickers at a Phnom Penh military hospital, Preah Keto Mealea Hospital. Traffickers reportedly sent 122 Indonesian nationals there to have their kidneys removed and sold. Victims were offered \$9,000. Indonesian police arrested 12 individuals in the case, including three in Cambodia.

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: No law criminalized consensual same-sex sexual conduct between adults.

Violence and Harassment: There were no reports of state or nonstate actor violence targeting lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons. No law addressed hate crimes. No criminal justice mechanisms existed to aid in the prosecution of bias-motivated crimes against LGBTQI+ individuals. Stigma or intimidation could have inhibited reporting of incidents.

Discrimination: There was no legal prohibition against discrimination based on sexual orientation, gender identity and expression, or sex characteristics, and no sanctions against those who discriminated against members of the LGBTQI+ community. Civil society advocates and public figures who identified as members of the LGBTQI+ community were generally tolerated by government and society. LGBTQI+ individuals sometimes experienced employment discrimination and exclusion. Advocacy groups noted discrimination was more common in rural areas. LGBTQI+ persons occasionally faced discrimination for working in the entertainment and commercial sex sectors.

In August then Prime Minister Hun Sen announced that same-sex marriage would not be legalized and blamed the LGBTQI+ community for increasing HIV transmission in the country.

Availability of Legal Gender Recognition: The government did not allow for changes to legal documents to bring gender markers into alignment with an individual's gender identity. There were no nonbinary or intersex options on government documents.

Involuntary or Coercive Medical or Psychological Practices: There were no reports of forced or involuntary so-called conversion therapy or intersex infant genital surgery; there was no law prohibiting these practices.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: Although NGOs reported no such restrictions specifically against LGBTQI+ individuals or groups, they noted the absence of antidiscrimination laws likely limited expression and association.

PERSONS WITH DISABILITIES

Persons with disabilities could not access education, health services, public buildings, or transportation on an equal basis with others. The law prohibited discrimination, neglect, exploitation, or abandonment of persons with physical or intellectual disabilities including in

employment, but was not effectively enforced; the law did not explicitly address access to transportation.

Persons with disabilities faced significant societal discrimination, including in obtaining skilled employment. Children with limited physical disabilities attended regular schools. Children with more significant disabilities attended separate schools sponsored by NGOs in Phnom Penh; the government did not provide education for students with more significant disabilities, and it was also unavailable outside Phnom Penh. A local NGO reported that at least 60 percent of children with disabilities did not attend school, compared with an overall school attendance rate greater than 80 percent. Although there were no legal limits on the rights of persons with disabilities to vote or participate in civic affairs, the government made no concerted effort to enable their civic engagement.

Institutionalized Children: The government had no policies for children with disabilities in residential institutions, including for those in nominally adult psychiatric facilities, social care homes, orphanages, and nursing homes. Despite having some broader alternative care policies, the government did not properly track and monitor residential care centers, and observers alleged many private orphanages were mismanaged and populated by sham orphans to lure donations from foreigners.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The law broadly provided for the right of private-sector workers to form and join independent trade unions of their own choice, to bargain collectively, and to strike. The law excluded certain categories of workers from joining unions, placed significant restrictions on the right to organize, limited the right to strike, facilitated government intervention in internal union affairs, permitted the government as well as third parties to seek the dissolution of trade unions, and imposed only minor penalties on employers for unfair labor practices. The government failed to effectively enforce laws that protected union and labor rights. Penalties for antiunion discrimination in hiring and dismissing employees were commensurate with those for other types of discrimination. Penalties were rarely applied against violators. Union leaders had the legal right to make complaints against antiunion discrimination, but as of July the Ministry of Labor and Vocational Training (Ministry of Labor) reported zero instances of noncompliance resulting in punishments or fines.

Civil servants, teachers, state-owned firm employees, and workers in the banking, health care, and informal industries could organize only “associations,” not trade unions, which gave them fewer protections than unionized trades. The law also prohibited illiterate workers from holding union leadership positions. Unregistered unions were illegal.

Union leaders reported a variety of difficulties in founding their unions. In some circumstances, employers and local government officials allegedly did not provide essential papers for unions to register. In other cases, provincial-level labor officials reportedly stalled registration applications indefinitely by requesting additional materials or resubmissions due to minor errors late in the 30-day application cycle (although anecdotal evidence suggested this practice had decreased, particularly for unions in the garment and footwear sectors). Some employers used the lengthy registration process to fire elected union officials prior to a union’s formal registration, rendering them unable to serve as union executives and further drawing out the registration process. Some banks reportedly refused to provide accounts for unregistered unions, preventing the union from

receiving legal recognition, which required a bank account. Due to insufficient awareness of applicable rules and regulations, some local unions reported it took months or years to form their unions.

Unions encountered significant challenges in organizing in Special Economic Zones (SEZs), which operated under the authority of the Cambodia Special Economic Zone Board (under the Council for Development of Cambodia) and were exempt from a variety of rules and regulations. Employers reportedly worked with authorities to thwart labor organizing in certain SEZs, and companies fired workers because of union action without consequence. Some government officials indicated that independent unions were not welcome in the SEZs they administered; only progovernment unions were permitted to exist in those zones.

Many factory owners hired employees using short-term contracts, which according to union officials, allowed companies to remove union organizers by letting contracts expire. While a decline in global demand resulted in closures and suspensions of around 500 factories during the reporting year, union activists described how some factory owners closed their factories, ending unions and dismissing aging workers, only to turn around and launch a new operation with younger, nonunionized, and lower-paid employees.

While workers enjoyed the right to strike, the legal requirements for doing so were cumbersome. The law stipulated that workers could strike only after meeting several requirements, which included successfully registering a union; exhausting other methods of dispute resolution (such as conciliation, mediation, and arbitration); completing a 60-day waiting period following the emergence of the dispute; conducting a secret ballot in which the absolute majority of union members had to support the strike; and providing seven days' advance notice to the employer and the Ministry of Labor. Strikers could be criminally charged if they engaged in behavior interpreted by local authorities as harmful to public order.

During the year, authorities turned down several requests from independent unions for rallies and strikes, citing social order and security concerns. In some rare cases, the permits were granted, but unions were ordered to arrange their rallies with a limited number of participants on the outskirts of the locality, with no marching or parading allowed.

There were reports of workers dismissed on spurious grounds after organizing or participating in "illegal" strikes, however since participation in a strike was not in itself a legally acceptable reason for dismissal, employers often cited other, thinly supported grounds for dismissal. In some cases, employers failed to renew the short-term contracts of union activists who participated in a strike; in others they pressured union personnel or strikers to accept compensation and quit.

In May a court sentenced Chhim Sithar, the union leader of NagaWorld, the country's largest casino, to two years in prison, and eight other union members to judicial monitoring (18 months) or suspended sentences (12 months) for "incitement" after union members proceeded with a strike in December 2021 in violation of a court order.

The government did not investigate injuries to at least 25 strikers during clashes with NagaWorld security and police in 2022, according to NagaWorld union members.

The International Labor Organization's June Committee on the Application of Standards "deeply deplored" the government's continued use of the law to prosecute and punish, including by forced labor during imprisonment, those who participated in strikes. The president of the Cambodia Labor Union Federation, Ath Thorn, reported that the number of strikes and protests decreased to fewer than 40 in 2022, down from nearly 400 five years previously. Ministry of Labor officials interpreted this as evidence of the government's success in enhancing labor conditions and benefits, citing measures such as raising the minimum wage, providing bonuses, and easing travel during lengthy holidays. Union leaders, however, said the decline in strike and demonstration activity reflected authorities' increasing restrictions on workers' ability to exercise their rights. Most strikes throughout the year were in response to unpaid wages and the denial of benefits due to factory closings.

There was reported progress in smaller unions' ability to represent workers in collective disputes. As of June, the Arbitration Council, an independent alternative dispute resolution mechanism, heard 16 labor disputes, compared to 36 in the same period last year. Council officials attributed the decline to more cases classified as "individual" instead of "collective" disputes, making them ineligible for referral to the council. "Individual" disputes could be brought before the courts, which were neither impartial nor transparent. There was no specialized labor court.

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: The minimum wage covered only the garment, footwear, and textile industries, and was higher than the official poverty level. Union members said, however, that a worker needed around \$300 per month on average to cope with rising living expenses, more than the minimum wage of \$200.

The law provided for a standard legal workweek of 48 hours, not to exceed eight hours per day. The law established a rate of 130 percent of daytime wages for nightshift work and 150 percent for overtime, which increased to 200 percent if overtime occurred at night, on a Sunday, or on a holiday. Employees could work a maximum two hours of overtime per day. The law stated that all overtime had to be voluntary and provided for paid annual holidays. Workers in marine and air transportation were not entitled to social security and pension benefits and were exempt from limitations on work hours prescribed by law.

Workers and labor organizations raised concerns that rising sub- and short-term contracts (locally known as fixed-duration contracts) allowed firms, especially in the garment sector, to avoid wage and other requirements. Fixed-duration contracts also allowed employers greater freedom to dismiss pregnant women simply by failing to renew their contracts. The law limited such contracts to a maximum of two years, but more recent directives allowed employers to extend this period to up to four years. The Arbitration Council and the International Labor Organization disputed this interpretation of the law, noting that after 24 months an employee should be offered a more permanent "unlimited duration contract." Forced overtime remained a problem in factories producing for export. Unions and workers reported some factory managers fired workers who refused to work overtime. Workers reported overtime was often excessive and sometimes mandatory; many complained that employers forced them to work 12-hour days, although the legal limit was 10, including overtime. Workers often faced dismissal, fines, or loss of premium pay if they refused to work overtime.

Occupational Safety and Health: By law workplace health and safety standards had to be adequate to provide for workers' well-being. Compliance with occupational safety and health (OSH) standards continued to be a problem, particularly in the garment export sector, largely due to improper company policies, procedures, and poorly defined supervisory roles and responsibilities.

According to unions, some garment factories occupied old buildings that were not built according to OSH standards and subjected workers to a hot, confined, and unsanitary working environment.

In addition to extensive reporting of OSH concerns in the garment industry, several labor representatives noted that most workers at construction sites and brick kilns had little knowledge of OSH regulations, nor were systems in place to protect workers from injuries and illnesses or to enable reporting of violations.

Ministry of Labor officials acknowledged that OSH problems remained but claimed the government proactively worked to address those concerns by increasing the Ministry of Labor's capacity to identify unsafe conditions and to respond to workers' OSH complaints, which the ministry stated resulted in a decrease in the number of workers fainting in factories. According to National Social Security Fund officials, only one case of fainting (involving 11 workers) had been reported as of June. There were eight cases of fainting involving 266 workers in 2022. Workers could legally remove themselves from unsafe situations without jeopardizing their jobs.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce the minimum wage, overtime, and OSH laws. Although Ministry of Labor inspectors were permitted to conduct unannounced inspections, prior notice was always given to local police and authorities. Outside of the export garment industry, working-hour regulations were rarely, if ever, enforced.

Penalties for OSH violations were rarely assessed and were insufficient to suppress violations. Penalties for violating laws on minimum wage (six days to one month's imprisonment) and overtime (a fine of 31 to 60 times the prevailing daily base wage) were less than those for other crimes, such as fraud.

Government inspection of construction worksites was insufficient. The government did not have enough inspectors to enforce compliance. Inspectors had, however, the same status as "judicial police," enabling them to make arrests and build criminal court cases for labor violations. According to the most recent estimates, the informal sector employed approximately 85 percent of the country's workforce. As of June, nearly 3.3 million workers had registered with the National Social Security Fund, with the informal sector accounting for 5.5 percent of them. Ministry of Labor inspectors could investigate informal worksites, but finding and contacting unregistered employees was difficult, and investigations usually occurred when the ministry received a complaint; no information on the scale or scope of such investigations was known.