

Document #2043532

HRW – Human Rights Watch

World Report 2021 - Cambodia

Prime Minister Hun Sen, whose 35-year rule makes him one of the world’s longest serving leaders, used the Covid-19 pandemic as a pretext to further tighten his grip on power. During the year, the government repeatedly resorted to violence against peaceful protesters, and arrested human rights defenders, journalists, opposition party members, and ordinary citizens for peacefully expressing their opinions. At time of writing, Cambodia held over [60 political prisoners](#).

Amid the pandemic, the ruling Cambodian People’s Party (CPP) used its 125-to-0 margin in the National Assembly to adopt new laws that further threaten civil and political rights. The government’s response to the Covid-19 pandemic reinforced underlying [discrimination against Cambodia’s minority Muslim communities](#) by mentioning their religion when reporting on persons who contracted Covid-19.

The government and micro-loan providers failed to protect borrowers from an already spiraling micro-loan debt crisis, undermining the right to an adequate standard of living. Authorities did not [release persons](#) who are at increased risk of contracting and suffering complications from Covid-19 being held in Cambodia’s notoriously overcrowded prisons. Of the more than 3 million students who had their education disrupted since schools closed in March, children from poorer and rural families have had less access to alternative education.

Draconian New Laws

The government adopted repressive new laws that further curtail the rights to freedom of expression, peaceful assembly, and association.

In April, Hun Sen used the Covid-19 pandemic to enact a draconian state of emergency law that severely restricts fundamental liberties. The law grants [extensive powers](#) to the prime minister, allowing bans on the distribution of information, intrusive surveillance of telecommunications “by all means,” and total control of media. It also empowers the government to restrict movement and demonstrations, and opens the way for unfettered governmental powers. The penalties and fines under the emergency measures are unlawfully disproportionate.

In June, the government considered a [public order law](#) that purports to achieve “a more civilized society.” In reality, it is a highly intrusive, rights-violating law that polices ordinary actions of citizens and prohibits a vast array of public and private behavior, including regulating what people can wear. The law restricts Cambodians’ right to free expression and peaceful assembly and incorporates provisions that [violate](#) the rights of women and persons with actual or perceived mental or developmental disabilities.

In July, the Ministry of Post and Telecommunications’ [proposed](#) a sub-decree on a National Internet Gateway, which seeks to route all internet traffic through a regulatory body monitoring online activity, which will allow for the “blocking and disconnecting [of] all network connections that affect safety, national revenue, social order, dignity, culture, tradition and customs.”

Attacks on Human Rights Defenders

Authorities [banned protests](#) organized by youth and environmental activists. Between August and October, authorities detained and charged 12 activists based on bogus allegations of “incitement to commit a felony” when organizing protests to call for the release of political prisoners, including detained union leader Rong Chhun. Peaceful protests by family members calling for the release of detained opposition activists were frequently met with [excessive use of force](#) by Phnom Penh district level security forces and plainclothes police officers.

Environmental activism continues to be dangerous in Cambodia. In March, authorities [arrested](#) four environmental activists, including activists of the Prey Lang Community Network and prominent environmentalist Ouch Leng, following their investigation into allegations of illegal logging in Kratie province by the company Think Biotech. The company held the activists incommunicado overnight and inflicted a bleeding head injury on one of them. The next day, they were handed over to police for questioning. Authorities released the activists after two days but said they would continue a criminal investigation against them. So far, no charges have been imposed.

Between January and April, authorities detained and interrogated [at least 30 people](#), including a 14-year-old girl, for Facebook posts related to the Covid-19 pandemic. The government labelled their posts as “spreading fake news.” Twelve persons with affiliation to the opposition Cambodian National Rescue Party (CNRP) and four others were charged with criminal offenses; fourteen were held in pre-trial detention and two released on bail. Those released upon arrest had to sign “re-educating” pledges to refrain from similar posts in the future.

On July 31, authorities [arrested prominent union leader](#) Rong Chhun. The next day, the Phnom Penh municipal court charged him with incitement and sent him to pre-trial detention. The charges against Rong Chhun appear linked to his advocacy for aggrieved villagers facing land problems because of the demarcation of Cambodia’s border with Vietnam.

In June, Thai pro-democracy activist Wachalearn Satsakit was [abducted](#) in front of his Phnom Penh apartment. Witnesses and CCTV footage revealed unidentified armed men seizing him, pushing him into a black SUV, and driving away. Despite requests from the Thai government, Cambodian authorities had at time of writing [failed to conduct an effective investigation](#) into the incident, made no progress in determining his whereabouts, and did not respond to allegations of official knowledge or involvement in the abduction.

Arrest and Harassment of Opposition Members and Supporters

Hun Sen continued to [threaten](#) opposition activists. In June, he claimed that the Cambodia National Rescue Party (CNRP) was trying to use the pandemic to “cause chaos.” He alluded to a statement by exiled former opposition leader Sam Rainsy that borrowers unable to repay their micro-loan debts should not have to sell their land or homes to pay back their debtors. Hun Sen threatened CNRP activists with arrest, repeating “If you act, I will arrest.”

Over 30 opposition activists were imprisoned at time of writing. Another [78 opposition activists released on bail](#) in November 2019 have charges pending against them and risk re-arrest at any time. The CNRP’s leadership remains largely in exile because of fear of being arrested if they return to Cambodia.

The government released Kem Sokha, head of the CNRP, from *de facto* house arrest in November 2019. However, he continued to face trumped-up treason charges. In mid-May 2020, authorities said that his trial would be delayed indefinitely. On July 20, the Phnom Penh municipal court [warned](#) him to not violate the conditions of his bail, which prohibit, among others, any political activities.

Freedom of Media

The government significantly curtailed media freedom by [targeting independent media outlets](#) and critical journalists. In the first six months of 2020, the government revoked the licenses of independent media outlets TVFB, Rithysen radio station and online news site, and CKV TV Online. The license of *Cheat Khmer* newspaper was under review after the politically motivated arrest of its owner, Ros Sokhet in June.

Two Radio Free Asia journalists, Yeang Sothearin and Uon Chhin, faced a never-ending investigation on fabricated espionage charges, for which a judge ruled in October 2019 there was no evidence. However, inexplicably, the judge [refused to dismiss the case](#). In January and October, Phnom Penh’s appeal court and the [Supreme Court](#), respectively, [rejected](#) an appeal to dismiss the case, allowing for continued investigations. While both journalists were released on bail after nearly one year in arbitrary pretrial detention, they are not allowed to leave the country.

In March, Interior Minister Sar Kheng [warned](#) that anyone who spread misinformation about Covid-19 “to stir chaos” would face legal action. In April, authorities [arrested and detained](#) reporter and director of online TVFB news site, Sovann Rithy, alleging he committed “incitement to commit a felony” by quoting sections of Hun Sen’s speech regarding the economic impact of Covid-19. Authorities ordered his pre-trial detention and convicted him on October 5, sentencing him to 18 months in prison—deducting time served in pretrial detention and suspending the remainder. At time of writing, authorities [detained](#) a total of three journalists: Sok Oudom, Ros Sokhet, and Rath Rott Mony. Mony is currently serving a two-year prison sentence upon conviction for incitement.

Lack of Adequate Standard of Living

Covid-19 sparked an economic crisis in which hundreds of thousands of people were suspended from work with little or no pay, or laid off outright. Many Cambodians have taken out microloans, often using land titles as collateral, but without jobs or income, they cannot afford to repay the loans.

The Cambodian government and micro-loan providers did little to respond to this [micro-loan debt crisis](#), leaving hundreds of thousands of borrowers facing serious financial burdens without debt relief or loan restructuring that could alleviate that burden. A lack of oversight and enforceable debt relief, exacerbated by micro-loan providers’ unethical lending practices that intend to push borrowers into insurmountable debt, resulted in cases of coerced land sales by indebted borrowers.

Rather than heeding desperate appeals by poor communities urging the government to suspend micro-loan debt collection, government officials arrested protesters and [threatened](#) borrowers with confiscation of property if they acted on exiled CNRP leaders’ calls to refuse to repay loans.

The government also [failed](#) to take adequate steps to halt human trafficking of “brides” to China, a trade driven by economic desperation.

Key International Actors

Cambodia distanced itself from the European Union and the United States economically, and strengthened economic ties with China by [signing](#) a Free Trade Agreement on October 12. In January 2020, [China comprised](#) 43 percent of Cambodia’s foreign direct investment of a total of US\$3.6 billion in 2019, making it Cambodia’s largest foreign investor. Cambodia is one of China’s “Belt and Road Initiative partners,” with [US\\$7.9 billion invested](#) between 2016 and 2019.

In August, following [18 months](#) of enhanced monitoring and dialogue with Cambodian authorities—and given Hun Sen’s persistent refusal to take meaningful action to address the violations of civil and political rights, as well as land and labor rights identified by the European Union—the European Commission [partially withdrew](#) Cambodia’s preferential access to the EU market in application of the “Everything But Arms” scheme.

In June, Sweden [announced](#) that it will phase out its bilateral aid for the Cambodian government by July 1, 2021, in response to Cambodia’s severe restrictions on democratic space in recent years. While continuing to support civil society groups, Sweden will redirect its bilateral cooperation with the government towards “better support for change with regard to human rights, democracy and the rule of law.”

In July, the US listed Cambodia’s Banteay Meanchey Provincial Police Commissariat as a unit that would [no longer receive US assistance](#) under the US Leahy Law—prohibiting the US from funding foreign security forces that commit rights abuses with impunity—based on “credible information that such unit has committed a gross violation of human rights.”

ecoi.net summary:

Annual report on the human rights situation in 2020

Country:

Cambodia

Source:

[HRW – Human Rights Watch](#)

Original link:

<https://www.hrw.org/world-report/2021/country-chapters/cambodia>

Document type:

Periodical Report

Language:

English

Published:

13 January 2021

Document ID:

2043532

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