



Joint Submission by Freedom House and Robert F. Kennedy Human Rights

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Cambodia

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Robert F. Kennedy Human Rights (RFK): RFK is a nongovernment organization based in Washington, D.C. Founded in 1968 as a living memorial, it strives to achieve its namesake's vision of a more just and peaceful world. RFK Human Rights partners with civil society leaders globally to protect civic space through advocacy and strategic litigation. Vice-President of International Advocacy and Litigation, Angelita Baeyens, +1.202.463.7575, legal@rfkhumanrights.org, baeyens@rfkhumanrights.org.

Executive summary

1. As organizations promoting freedom of expression and the rule of law, this submission focuses on Cambodia's compliance with international human rights obligations related to (i) freedom of opinion and expression, (ii) freedom of the press, and (iii) progress made since the last review in 2019. This submission addresses the treatment of journalists¹ and human rights defenders, and includes a few emblematic cases of individuals whose critical speech was criminalized under similar frameworks.
2. In particular, the concerns raised in this submission relate to:
 - Cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion;
 - Incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion;
 - Imprisonment and lengthy sentences of journalists and human rights defenders expressing an opinion;

- Invocation of criminal incitement and anti-state charges against journalists and human rights defenders expressing an opinion;
- Denial of the right to a fair trial and appeals process; and
- Suspension and revocation of journalists' licenses, internet restrictions, censorship, and blocked access to online content.

Human rights instruments referred to in this submission

3. Article 31 of the Cambodian Constitution affirms Cambodia's attachment to the fundamental freedoms enshrined in the United Nations Charter, the Universal Declaration of Human Rights, and "the covenants and conventions related to human rights," including to principles of freedom of opinion and expression, and encompassing press freedom.² Article 41 of the Cambodian Constitution further provides that "citizens shall have freedom of expression of their ideas, freedom of information, freedom of publication and freedom of assembly."³ The Constitution of Cambodia therefore protects a fundamental right which includes principles of freedom of opinion and expression, and encompasses press freedom. However, the right is not unqualified, as the practice of such rights may not "infringe upon the honor of others, or [] affect the good customs of society, public order and national security" and the media regime is determined by law.⁴
4. Article 19 of the Universal Declaration of Human Rights enshrines the principle of freedom of opinion and expression, noting that "the right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."⁵ Articles 8, 9, 10, and 11 protect the right to an effective remedy and to a fair trial, the presumption of innocence, and the prohibition on arbitrary arrest, detention or exile.
5. Cambodia ratified the International Covenant on Civil and Political Rights ("**the Covenant**") in 1992. The Covenant sets forth the principle in its Article 19 that "[e]veryone shall have the right to hold opinions without interference" and to "freedom of expression" which includes "freedom to seek, receive and impart information."⁶ Those rights are subject to restriction only as provided by law and necessary for the respect of rights or reputations of others or for the protection of national security, public order, public health or morals.⁷ Article 9(1) of the Covenant provides that no one shall be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law. Article 9(2) requires that anyone who is arrested shall be informed, at the time of arrest, of the reasons for his or her arrest. Article 9(3) provides that: "Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release."⁸ Article 14 of the Covenant also sets forth a right to a fair trial before an independent and

impartial court. In its ninetieth session, the Human Rights Committee issued General Comment No. 32 which notes that, in cases regarding the determination of criminal charges against individuals or of their rights and obligations in a suit at law “[t]he right to a fair and public hearing by a competent, independent and impartial tribunal established by law is guaranteed, according to the second sentence of article 14, paragraph 1 [of the Covenant].”⁹

6. Cambodia ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“CAT”) in 1992. Article 1 defines “torture” as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession [. . .].”¹⁰ Article 11 of the CAT provides that each party shall keep their interrogation rules, methods, instructions and practices under systematic review, and have arrangements to prevent any cases of torture against people subjected to any form of arrest, detention or imprisonment.¹¹
7. Since 2013, Cambodia is also part of the International Convention for the Protection of All Persons from Enforced Disappearance (“ICCPED”). Article 17 establishes a set of conditions for the treatment of people deprived of their liberty including the proscription of secret detention, a duty to authorize communications and visitations by their families, counsel or any other person of their choice, among others.¹²

Implementation of recommendations from previous review

8. Our commentary on the recommendations supported from the previous Universal Periodic Review (“UPR”) cycle are contained in the matrix of relevant recommendations in Appendix 1. No recommendations that were accepted or noted can be considered “partially achieved”. Thirty-eight recommendations relevant to freedom of expression and press freedom which were supported are “not implemented.”

Update on situation for freedom of expression since the last review

General observations

9. Threats to freedom of expression and press freedom are occurring on multiple fronts: (i) cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion, (ii) incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion, (iii) imprisonment and lengthy sentences of journalists and human rights defenders expressing an opinion, (iv) invocation of criminal incitement and anti-state charges against journalists and human rights defenders expressing an opinion, (v) denial of the right to a fair trial and appeals process, (vi) suspension and revocation of journalists’ licenses, internet

restrictions, censorship, and blocked access to online content. These factors are limiting the right to freedom of expression and press freedom in Cambodia. These issues must be simultaneously addressed by the state in order to ensure the aforementioned rights.

Specific issues of concern

10. For each of the themes below, a detailed list of incidents reported between 2019 and the date of this submission is contained in Appendix 2.

Cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion

11. Over the past five years, there have been documented incidents of violence against journalists carried out by private actors. Several instances of violence have occurred against journalists reporting on the timber trade and land disputes. In September 2020, four journalists were beaten by a group of alleged timber traders.¹³ In June 2022, journalist Try Sophal was beaten after filming a bulldozer clear state land.¹⁴ In July 2022, San Sim, a local journalist for Somraek Satrey Khmer, was beaten by cross-border timber traders, seemingly in connection with his work photographing and reporting on the illegal timber trade.¹⁵ In August 2022, Sou Senghak of Samarakot News was physically assaulted by an army officer, after observing a potentially illegal timber transportation. After Sou Senghak filed a complaint with the authorities, a settlement agreement was reached and as part of the agreement Samarakot News retracted its story.¹⁶
12. Journalists covering cockfighting have also been targets of violence. In September 2021, four journalists were attacked by the sibling of a corporate tycoon while attempting to photograph cockfighting.¹⁷ In August 2022, following publication of his article on illegal cockfighting, which contained allegations of official involvement in the scheme, Sun Kvanha of Penh Chet Media was threatened and his car was shot at by an anonymous person.¹⁸
13. Several human rights defenders have been detained and/or arrested as a result of their social media posts. In 2019, Kong Raiya, a former member of the CNRP, was arrested alongside four family members for posting on Facebook advertising t-shirts with the image and quotes of Kem Ley, a government critic murdered in 2016.¹⁹ Whilst in prison, Kong Raiya was held in a severely overcrowded cell.²⁰

Incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion

14. Journalists remain subject to lengthy periods of pre-trial detention. In April 2019, the United Nations Working Group on Arbitrary Detention (“**UNWGAD**”) issued an opinion concerning the detention of two former journalists from Radio Free Asia (“**RFA**”), Yeang Sothearin and

Uon Chhin, concluding that their deprivation of liberty was “in contravention of Articles 9, 10, 11 (1), 19 and 20 of the Universal Declaration of Human Rights and Articles 9, 14, 19 and 22 of the International Covenant on Civil and Political Rights”.²¹ Both individuals were arrested without warrant and were not informed of the reasons behind their arrest. Their right to a fair trial was violated multiple times both in police custody and in pretrial detention. Yeang Sothearin’s passport was not returned to him until October 2022.²²

15. In 2020, journalist Ros Sokhet was arrested for allegedly inciting to provoke serious chaos in social security for criticizing Prime Minister Hun Sen on his Facebook page. Ros Sokhet remained in pre-trial detention for almost four months, following which his hearing only lasted one hour and a half.²³
16. In January 2022 five journalists were arrested for allegedly inciting individuals to conduct a protest against the authorities, following their reporting on a land dispute.²⁴ They remained in detention and were only released at the end of July 2022, following a negotiation.²⁵

Imprisonment and lengthy sentences of journalists and human rights defenders expressing an opinion

17. In the previous UPR cycle, Cambodia was given several recommendations in connection with individuals detained for their peaceful exercise of freedom of expression, including journalists and human rights defenders who had been charged and faced prison sentences, as detailed in Appendix 1. However, the Cambodian authorities have continued to detain or imprison journalists who report about government activities. In addition, there have been incidents of human rights defenders being arrested for sharing opinions about the Cambodian government on social media or in a public forum, resulting in excessive and disproportionate periods of jail time.
18. In August 2022, members of Prime Minister Hun Sen’s security team detained and harassed five journalists while they were covering environmental issues on a land clearing operation. The journalists were detained for several hours at the police station and government officials violently forced them to hand over their phones.²⁶ The Cambodian authorities told the journalists that they were not allowed to photograph, film or fly drones in that location and claimed that photos and recordings could be used to spread false information.²⁷
19. One of the most concerning cases evidencing the government’s conduct with respect to freedom of expression is that of Theary Seng. Ms. Seng is a Cambodian attorney and human rights defender. In 2020, she was charged with treason and conspiracy to incite social disorder through publications on her social media account that criticized the government.²⁸ On June 14, 2022, Theary Seng was sentenced to six years of imprisonment.²⁹ The court’s announcement of her sentencing contained no explanation as to why Ms. Seng was found

guilty.³⁰ UNWGAD recently rendered an opinion establishing that her detention was politically motivated and resulted from her exercising her rights to freedom of opinion, expression, peacefully assembly and association.³¹

20. Other cases such as that of Rong Chhun demonstrate that long sentences are being used by the Cambodian government to restrict freedom of expression. Mr. Chhun, president of the Cambodian Confederation of Unions and a member of the Cambodia Watchdog Council, was arrested and charged with incitement to commit a felony in July 2020, after issuing a public statement about claims that border negotiations with Vietnam were affecting villagers along the border.³² In August 2021, Mr. Chhun was sentenced to two years in prison.³³

Invocation of criminal incitement and anti-state charges against journalists and human rights defenders expressing an opinion]

21. One of the most concerning aspects of the Cambodian treatment for journalists, human rights defenders and other social actors is the extended use of criminal laws against incitement of violence or disturbance of social order to suppress freedom of expression. Some articles of the Cambodian Criminal Code, particularly Articles 494 and 495, have been used as pretexts to arrest people who expressed opinions on public matters or somehow criticized the government. In the past UPR cycle, some recommendations, which were noted by Cambodia, highlighted this concern by urging the Cambodian government to repeal provisions of the Criminal Code that restricted freedom of expression and assembly.³⁴ However, indiscriminate use of the incitement laws persists.
22. Article 495 of the Cambodian Criminal Code criminalizes “direct incitement to commit a felony or to disturb social order by employing one of the means described in Article 494,” which include: (i) speech in a public place or public meeting, (ii) writing or picture of any kind displayed or distributed to the public, or (iii) any audio-visual communication to the public.³⁵ Both articles are extremely vague and overbroad, which has allowed for their arbitrary misuse by Cambodian authorities against journalists and other social actors such as online critics.
23. Cases involving activists like Theary Seng,³⁶ discussed above, and Kong Raiya³⁷, an activist formerly affiliated with the banned Cambodia National Rescue Party (“**CNRP**”) reveal that Cambodian authorities take advantage of the broad nature of the Cambodian Criminal Code provisions. In Ms. Seng’s case, the prosecution failed to demonstrate the existence of intent to incite or even identify the content of her social media posts which was inciting. Nevertheless, she was sentenced to six years of imprisonment.³⁸
24. There are several other examples of arbitrary charges against journalists based on the incitement articles in Cambodia. In 2020, Sok Oudom, the owner of a local news radio

station and website, was arrested for reporting on a protest related to a land dispute.³⁹ Mr. Oudom was charged under the incitement provisions and sentenced to twenty months in prison.⁴⁰ That same year, Ros Sokhet was arrested for allegedly inciting to provoke serious chaos in social security for criticizing Prime Minister Hun Sen on his Facebook page. Mr. Sokhet was then charged under Articles 494 and 495 of the Cambodian Criminal Code.⁴¹

25. In 2021, Khou Piseth, a Cambodian reporter, was arrested for posting messages critical of the government's handling of the COVID-19 pandemic, despite the fact that the posts were made on his personal Facebook account.⁴² Youn Chhiv, the owner of a news website, was convicted under the incitement provisions for publishing information regarding a land dispute in Botum Sakor National Park. Mr. Chhiv was reportedly sentenced fewer than seventy-two hours after being arrested.⁴³ Other cases in connection with the incitement provisions of the Cambodian Criminal Code are detailed in Appendix 1.
26. Anti-state charges have also been used by the Cambodian government to condition or retaliate against journalists. Article 445 of the Cambodian Criminal Code provides that the act of giving or facilitating easy access to certain documents or information by a foreign State which undermine the national defense is punishable by imprisonment of between seven and fifteen years.⁴⁴ This article has been used against journalists like Yeang Sothearin and Uon Chhin, who were tried for allegedly sending information to RFA and setting up a studio to broadcast Cambodian news abroad.⁴⁵
27. Broad provisions under the Cambodian Criminal Code have also been used against human rights defenders for expressing an opinion. Rong Chhun's case (discussed above) was based on the incitement provisions. In 2020, Kea Sokun, a rap artist from Cambodia, was arrested for allegedly inciting criminal activity, in connection with two songs that he posted on his YouTube page.⁴⁶ In 2021, Kak Sovannchhay, the autistic son of two opposition figures in Cambodia, was also arrested for criticizing the government in three voice recordings shared in a private Telegram group and convicted under Articles 494 and 495 of the Cambodian Criminal Code.⁴⁷

Denial of the right to a fair trial and appeals process

28. In the previous UPR cycle, Cambodia was urged to cease judicial harassment against journalists, a recommendation that was noted by the state.⁴⁸ However, in the subsequent years, several cases characterized by serious fair trial violations have resulted in sentences of imprisonment against journalists and human rights activists. Many of the judgments issued by the Cambodian courts have lacked adequate reasoning, ultimately affecting the defendants' right to appeal disproportionate and unfair sentences.

29. In July 2019, Yeang Sothearin and Uon Chhin, discussed above, were tried for allegedly supplying a foreign state with information destructive to national defense. The defendants suffered serious fair trial violations. The prosecution introduced evidence regarding Uon Chhin's alleged delivery of a hard drive to the U.S. Embassy in Phnom Penh, but no information regarding the hard drive was included in the criminal complaint.⁴⁹ The court also limited its questions to those favorable to the prosecution's theory, and allowed a junior police officer to whisper to a senior police officer testifying for the prosecution.⁵⁰ Even after the court acknowledged that it did not have enough evidence to convict the defendants, the case was not dismissed. Instead, the judge issued an order for the state prosecutors to reinvestigate.⁵¹
30. Kong Raiya was convicted in 2020 after the prosecution failed to introduce any evidence to prove that he intended to incite social unrest.⁵² The Cambodian court provided insufficient reasoning for its verdict, violating Mr. Raiya's right to appeal.⁵³ There have also been important restrictions to the right to an adequate defense in cases like Ros Sokhet's, who was tried in a hearing that lasted one hour and a half.⁵⁴ In Mr. Sokhet's case, the prosecution did not offer any evidence regarding the existence of intent and failed to demonstrate that his posts qualified as incitement.⁵⁵
31. Theary Seng's case is one of the most shocking with respect to fair trial violations. Ms. Seng was denied access to her case file⁵⁶ and her international counsel, Jared Genser, was permanently banned from entering the country.⁵⁷ Other similar cases are detailed in Appendix 1.
32. At the time of this report, we are aware of the Cambodian government practice of releasing arrested individuals on an *ad hoc* basis and prohibiting them from speaking about their release. This practice is in violation of international law.

Suspension and revocation of journalists' licenses, internet restrictions, censorship, and blocked access to online content

33. The Cambodian government regularly censors journalists and news organizations. Interministerial decree No. 170 allows a government commission to monitor Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. With this power, the Cambodian government has revoked the licenses of several media outlets, forcing them to shut down. In 2020, the government blocked access to Monoroom.info,⁵⁸ and revoked the licenses of media outlets TVFB, CKVTV, and Rithysen Radio Station.⁵⁹ In 2021, licenses were also revoked for the following outlets: Youth Techno and Stoeng Charl,⁶⁰ Live-Daily,⁶¹ Pheng Vannak,⁶² and K01 TV.⁶³ In 2022, the Cambodian government cancelled the licenses of the Bayong Times,

Khmer Cover TV, and Cambodia Today.⁶⁴

34. On February 12, 2023, Prime Minister Hun Sen announced authorities would revoke Voice of Democracy's license.⁶⁵ The next day, police officers delivered a letter formally revoking the license.⁶⁶ On February 20, 2023, the Special Rapporteur on the situation of human rights in Cambodia, the Special Rapporteur on the situation of human rights defenders, and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression issued a press release imploring the Cambodian authorities to reinstate Voice of Democracy's license, stating "we are alarmed by the revocation of Voice of Democracy's license without due process, and with immediate effect in the run up to crucial national elections due in July this year."⁶⁷ Following this, the Federation of Cambodian-ASEAN journalists, Raksmei Kampong Cham, and Dumnon Knong Srok also had their licenses revoked.⁶⁸ The Telecommunications Regulator of Cambodia ordered local internet service providers to block the websites and social media accounts of The Cambodia Daily, RFA, and Kamnotra.⁶⁹
35. The Cambodian government has taken steps to further control freedom of expression. In February 2021, the Cambodian government passed a decree to establish a National Internet Gateway (NIG), which would centralize internet traffic and enable the government to force internet service providers to block or restrict content.⁷⁰ In October 2021, the Phnom Penh Capital Police Chief instructed police units to ban journalists from live broadcasting police activities.⁷¹

Recommendations to Cambodia by the submitting organizations

Cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion

36. Take measures to end all forms of torture and other ill-treatment, including the use of excessive force and physical beatings, inflicted on journalists and human rights defenders.
37. Ensure prompt and thorough investigations into the torturing and ill-treatment of journalists and human rights defenders, and bring all perpetrators, including conspirators, to justice in a fair trial to ensure accountability.

Incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion

38. Take measures to end the arbitrary and lengthy detention of journalists.
39. Ensure that the right to a fair trial is respected.

40. Allow journalists and human rights defenders the right to legal counsel at all stages of their detention and trial.
41. Release any journalists and human rights defenders who continue to be held in lengthy pre-trial detention.
42. Abolish detention without trial and ensure that arrests and detentions comply with international human rights law.
43. Conduct an investigation of the circumstances surrounding the incommunicado holding and lengthy pre-trial detention of journalists and human rights defenders and take appropriate measures against those responsible for the violation of rights.
44. Cease the practice of holding journalists and human rights defenders incommunicado and detaining them for lengthy periods without trial.
45. Cease the practice of confiscating the passports of journalists and human rights defenders, as well as their family members, and otherwise preventing them from travelling outside of the country.

Imprisonment and lengthy sentences of journalists and human rights defenders for expressing an opinion

46. Take measures to end arbitrary arrest and detention of journalists and human rights defenders to restrict freedom of expression.
47. Immediately release Theary Seng, currently jailed for posting on social media, and accord her an enforceable right to compensation and other reparations.
48. Cease arbitrary detentions of journalists and human rights defenders for issuing opinions about the Cambodian government.
49. Release all jailed journalists and human rights defenders arbitrarily detained for acts of free expression and press coverage, and cease the practice of arresting and inflicting violence against them for such acts.
50. Cease the practice of prohibiting prisoners from speaking about their release.

Invocation of criminal incitement and anti-state charges against journalists

51. Amend the Cambodian Criminal Code to correct the over-breadness and lack of clarity of the anti-incitement and anti-state provisions.

52. Remove any disproportionate limits to freedom of expression from the Cambodian Criminal Code.
53. Cease the arrest and detention of journalists and human rights defenders for covering government activities and criticizing the government.
54. Stop using criminal incitement charges to prosecute journalists, media outlets, and human rights defenders.
55. Commit to public transparency in government-decision making in all spheres of activity.

Denial of the right to a fair trial and appeals process

56. Ensure that all journalists and human rights defenders are granted the right to a fair trial before an independent and impartial court in a timely manner.
57. Ensure that the right of journalists and human rights defenders to an adequate defense is protected.
58. Ensure that the presumption of innocence of journalists and human rights defenders is respected.
59. Ensure that court judgments include a clear reasoning and protect the right of the defendants to appeal those judgments.

Suspension and revocation of journalists' licenses, internet restrictions, censorship, and blocked access to online content

60. Revoke interministerial decree No. 170.
61. Revoke the February 2021 sub-decree on the establishment of a National Internet Gateway.
62. Allow the media to establish independent self-regulatory bodies and allow them to operate freely and without interference from the government.
63. End the practice of revoking licenses of media outlets and social media platforms without due process protections and encourage the free exchange of information.

References

¹ The submitters define “journalists” as people who cover news or comment on public affairs in print, in photographs, on radio, on television, or online. Writers, editors, publishers, producers, technicians, photographers, camera operators, and directors of news organizations are all included. See Committee to Protect Journalists, “Frequently Asked Questions”, available at:

<https://cpj.org/about/faq/>.

² See Cambodian Constitution, adopted on 21 September 1993, amended in 2008, Article 31, available at: https://www.constituteproject.org/constitution/Cambodia_2008.

³ Id., at Article 41.

⁴ Id.

⁵ Universal Declaration of Human Rights, Article 19, available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

⁶ United Nations Human Rights Office of the High Commissioner, International Covenant on Civil and Political Rights, Articles 19(1) and 19(2), available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

⁷ Id., at Article 19(3).

⁸ Id., at Article 9(3).

⁹ UN Human Rights Committee. General Comment No. 32, Article 14, Right to equality before courts and tribunals and to fair trial, para. 15.

¹⁰ Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted on June 26, 1987, Article 1, available at:

<https://treaties.un.org/doc/Publication/UNTS/Volume%201465/v1465.pdf>

¹¹ Id. at Article 11.

¹² International Convention for the Protection of All Persons from Enforced Disappearance, adopted on December 23, 2010, Article 17, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>

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¹⁵ Id., p. 18.

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¹⁷ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 29, available at:

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¹⁸ Cambodia Journalists Alliance Association (2023), “Cambodian Journalist Situation Report 2022: An Annual record of reported harassment cases against journalists”, p. 42, available at:

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https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_kong_raiya.pdf.

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- ²³ American Bar Association, Center for Human Rights (February 16, 2021), “Trial Observation Report: Cambodia v. Ros Sokhet,” p. 12, available at: [fair_trial_report_cambodia_ros_sokhet.pdf \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice_defenders/fair_trial_report_cambodia_ros_sokhet.pdf)
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- ³³ Id., p. 3.
- ³⁴ See Recommendation 110.97: “Reverse the forced closure of media outlets, repeal provisions of the Criminal Code that criminalize defamation and restrict freedom of expression and assembly, and remove, without conditions, the ban on the 118 former members of the [CNRP] from engaging in political activities (United Kingdom of Great Britain and Northern Ireland)”.
- ³⁵ Cambodian Criminal Code, Articles 494 and 495, available at: <https://www.ajne.org/sites/default/files/resource/laws/7195/criminal-code-cambodia-en-kh.pdf>.
- ³⁶ American Bar Association Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (September 2022), “Trial Observation Report: Cambodia v. Theary Seng,” available at: [Trial Observation Report: Cambodia V. Theary Seng \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice_defenders/trial_watch/initiative/tw202209/cambodia_v_theary_seng.pdf)

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- ³⁷ American Bar Association Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (November 2020). "Trial Observation Report: Cambodia v. Kong Raiya." https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_kong_raiya.pdf
- ³⁸ American Bar Association Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (September 2022), "Trial Observation Report: Cambodia v. Theary Seng," p. 30, available at: https://www.americanbar.org/groups/human_rights/reports/trial-observation-report-cambodia-v-theary-seng/
- ³⁹ American Bar Association, Center for Human Rights (January 2022), "Fair Trial Report for Sok Oudom, Member of Cambodian Media," p. 7, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/oudom-report-english.pdf.
- ⁴⁰ Committee to Protect Journalists (December 22, 2020). "Cambodia sentences journalist Sok Oudom to 20 months in prison". <https://cpj.org/2020/12/cambodia-sentences-journalist-sok-oudom-to-20-months-in-prison/>
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- ⁴³ Civicus (January 5, 2022), "Crackdown on Union Strike in Cambodia While Repression of Opposition and Critics Continues," available at: <https://monitor.civicus.org/explore/crackdown-union-strike-cambodia-while-repression-opposition-and-critics-continues/>.
- ⁴⁴ Cambodian Criminal Code, Article 445, available at: <https://www.ajne.org/sites/default/files/resource/laws/7195/criminal-code-cambodia-en-kh.pdf>.
- ⁴⁵ American Bar Association, Center for Human Rights (January 14, 2020), "Trial Observation Report: Cambodia vs. Uon Chhin and Yeang Sothearin," p. 25, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/fairnessreport_cambodia_uc_ys.pdf.
- ⁴⁶ American Bar Association, Center for Human Rights (June 13, 2021), "Cambodia: Freedom of Expression and the Case of Rap Artist Kea Sokun," available at: https://www.americanbar.org/groups/human_rights/reports/kea-sokun/.
- ⁴⁷ American Bar Association, Center for Human Rights (May 9, 2022), "Trial Observation Report: Cambodia v. Kak Sovannchhay," pp. 13-14, available at: https://www.americanbar.org/groups/human_rights/reports/trial-observation-report-cambodia-v-kak-sovannchhay/.
- ⁴⁸ See Recommendation 110.117: "Create an enabling environment for free and pluralistic media, including by ceasing judicial harassment against journalists and abuse of tax regulations to harass media outlets and associations (Greece)".
- ⁴⁹ American Bar Association, Center for Human Rights (January 14, 2020), "Trial Observation Report: Cambodia vs. Uon Chhin and Yeang Sothearin," p. 3, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/fairnessreport_cambodia_uc_ys.pdf.
- ⁵⁰ Id.
- ⁵¹ Id., p. 23.
- ⁵² American Bar Association, Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (November 2020), "Trial Observation Report: Cambodia v. Kong Raiya," pp. 3-4, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial

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⁵³ Id., p. 4.

⁵⁴ American Bar Association, Center for Human Rights (February 16, 2021), “Trial Observation Report: Cambodia v. Ros Sokhet,” p. 12, available at:

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