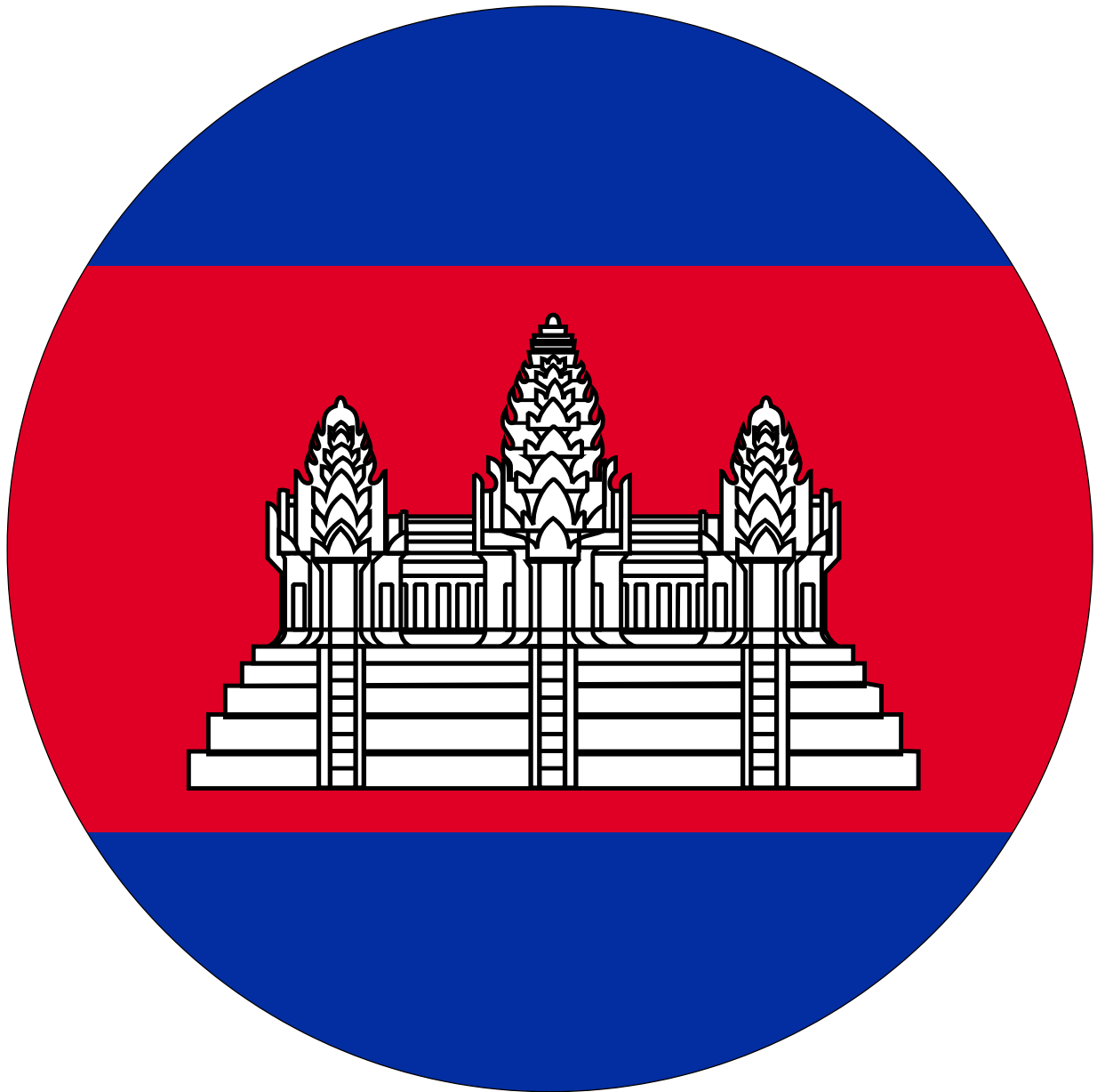


Cambodia



Update

Recent developments in Cambodia have raised concerns for civil society and civic freedoms. Four opposition political leaders were arrested in the first half of September alone, including Sun Chanthy of the Nation Power Party, who criticized the government of Prime Minister Hun Manet. In addition, the government is increasingly monitoring “fake news,” with a staggering 1,700 cases documented this year. This has negatively affected independent media and journalists, who face increasingly difficulties with information access and legal reprisals. Please see the News Items section below in this report for additional details.

Introduction

Cambodia is an example of a post-conflict society in which traditional forms of civil society organizations (CSOs) were devastated and then re-emerged in new forms as part of the reconstruction process. CSOs include Buddhist institutions, trade unions, media associations and non-governmental organizations (NGOs). In 1979 the first humanitarian international NGOs (INGOs) arrived and the establishment of local NGOs soon followed.

The Royal Government of Cambodia (RGC) and development partners recognize that NGOs and INGOs have made important contributions to rehabilitation, reconstruction and development for the last 30 years. NGOs are viewed as important partners in the delivery of basic social services. Formally, the RGC has a number of mechanisms that involve NGOs in national development strategy formulation and policy implementation and dialogue. In practice, however, NGOs have limited influence on government strategy and policy, and an increasingly limited space for meaningful dialogue.

Aside from the service provision sphere, the environment for NGOs is not enabling. NGOs involved in advocacy, legal rights and human rights are seen by the RGC as unwanted opposition, and the environment for their activity is restrictive. The Cambodia People's Party (CPP), which maintains control over the Cambodian State, is becoming more authoritarian despite an increasingly vocal political opposition. There is widespread concern from NGOs and other stakeholders on key issues relating to the increased violation of land rights and the restriction of fundamental human rights, such as the freedom of expression and freedom of assembly. Human rights defenders are continually the target of threats and attacks. The [recent UN UPR submissions](#) and outcomes document this.

The current legal framework is open to discretion and its implementation saddled by a weak understanding of the concept of civil society. There is no effective judiciary or effective rule of law in Cambodia. The RGC has taken the unprecedented step of including civil society leaders within the scope of the newly enacted Anti-Corruption Law by requiring them to disclose their assets. From December 2010 through December 2011, the RGC issued four versions of a restrictive draft Law on Associations and NGOs (LANGO) and ultimately promulgated the final version in August 2015, despite wide protests from citizens, civil society and the international community regarding both [its content](#) and the lack of meaningful public participation in crafting the law. Among concerns with the law are mandatory registration for all domestic and international associations, unfettered ministerial discretion over registration, and the requirement of "political neutrality" by all associations and NGOs.

The operating environment for civil society therefore continues to shrink. The LANGO, in particular, has been used by government authorities to break up meetings and trainings conducted by NGOs and community-based organizations. Authorities have claimed that the LANGO requires groups to receive permission from local authorities before holding meetings, trainings, and other events. However, the LANGO does not have any such requirement.

Over the past several years, numerous prominent opposition politicians, civil society leaders, and NGO staff members have been arrested on spurious charges. There have also been calls for NGOs to be suspended or shut down due to allegedly violating the "political neutrality" clause of the LANGO. Additionally, there have also been reports that protests have consistently been shut down and protesters detained without legal justification. In December 2018, hundreds of participants gathered in the Phnom Penh's Democracy Square to mark 70 years since the signing of the Universal Declaration of Human Rights. However, they, too, were met with "restrictions", such as a limitation to gather only in the square. In February 2023, the Prime Minister shuttered probably the last remaining independent media, the Voice of Democracy (VOD), without any due process, due to their criticism of the government on a transparency issue.

After several activists, including Kong Raiya and Soung Neakpaon, were [arrested](#) for commemorating the anniversary of political analyst Kem Ley's death, on July 26, 2019, UN human rights experts [expressed](#) their concern over the arrests of the activists and demanded the immediate release of Kong Raiya and Soung Neakpaon. They reaffirmed their previous concern about the "ongoing crackdown on civil society and the enjoyment of fundamental freedoms." On January

2022, Mrs. Chhim Sithar, the President of the Labor Rights Supported Union of the Khmer Employees of Nagaworld was charged of incitement and arrested over her month-long protests against mass layoffs by Nagaworld. More than one year later, in May 2023, a Phnom Penh court found Sithar and other trade unionists guilty of “incitement to commit a felony or disturb social security” under the Criminal Code articles 494 and 495 and sentenced Sithar to two years in prison and the other trade union members to at least one year in prison.

At a Glance

Organizational Forms	NGOs and associations
Registration Body	The Ministry of Interior is responsible for local NGOs and associations. The Ministry of Foreign Affairs and International Cooperation is responsible for international NGOs.
Approximate Number	According to the Ministry of Interior, there are 6,109 NGOs and associations that have registered with the Ministry of Interior since 1993.
Barriers to Entry	Registration is mandatory for all NGOs and associations. The procedural requirements for the registration of both domestic and international NGOs are complex and burdensome. Procedural safeguards regarding registration are lacking, with the Government having full discretion to deny registration.
Barriers to Activities	Advance notification to the state or governmental approval is required for certain activities. International NGOs are required to sign a Memorandum of Understanding with the Ministry of Foreign Affairs. The RGC is increasingly applying pressure and intimidation on certain NGOs and the communities in which they work.
Barriers to Speech and/or Advocacy	Laws criminalizing defamation, disinformation, and incitement.
Barriers to International Contact	No barriers in law and policy, but in practice most activists are monitored by the government, and international contact can especially subject activists to scrutiny and harassment.
Barriers to Resources	No barriers in law and policy.
Barriers to Assembly	Vague definition; right restricted to Cambodian citizens only; excessive use of force on protesters; restrictive prior notification requirements which in practice act as a prior permission regime.

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Key Indicators

Population	16,891,245 (2023 est.)
Capital	Phnom Penh
Type of Government	Multiparty democracy under a constitutional monarchy
Life Expectancy at Birth	69.17 (Men) and 72.91 (Women) (2023 est.)
Literacy Rate	Male: 88.4% Female: 79.8% (2021)
Religious Groups	Buddhist (official) 97.1%, Muslim 2%, Christian 0.3%, other 0.5% (2019 est.)
Ethnic Groups	Khmer 95.4%, Cham 2.4%, Chinese 1.5%, other 0.7% (2019-20 est.)
GDP per capita	\$4,400 (2021 est.)

Source: [The World Factbook](#). Washington, DC: Central Intelligence Agency.

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International Rankings

Ranking Body	Rank	Ranking Scale (best – worst possible)
UN Human Development Index	146 (2022)	1 – 191
World Justice Project Rule of Law Index	141 (2023)	1 – 142
Transparency International	158 (2023)	1 – 180
Freedom House: Freedom in the World	Status: Not Free Political Rights: 4 Civil Liberties: 19 (2024)	Free/Partly Free/Not Free 40 – 0 60 – 0
Fragile States Index	55 (2024)	179 – 1

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Legal Snapshot

International and Regional Human Rights Agreements

Key International Agreements	Ratification*	Year
International Covenant on Civil and Political Rights (ICCPR)	Yes	1992
Optional Protocol to ICCPR (ICCPR-OP1)	Yes	2004
International Covenant on Economic, Social, and Cultural Rights (ICESCR)	Yes	1992
Optional Protocol to ICESCR (OP-ICESCR)	No	—
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	Yes	1983
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Yes	1992
Optional Protocol to the Convention on the Elimination of Discrimination Against Women	No	2001
Convention on the Rights of the Child (CRC)	Yes	1992
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW)	Yes	2004
Convention on the Rights of Persons with Disabilities (CRPD)	Yes	2007

* Category includes ratification, accession, or succession to the treaty

Constitutional Framework

The Cambodian Constitution was adopted by the Constitutional Assembly in Phnom Penh on 21 September 1993.

Relevant Constitutional provisions include:

Article 41

Khmer citizens shall have the freedom of expression, press, publication and assembly. No one shall exercise this right to infringe upon the rights of others, to affect the good traditions of the society, to violate public law and order and national security. The regime of the media shall be determined by law.

Article 42

Khmer citizens shall have the right to establish associations and political parties. These rights shall be determined by law. Khmer citizens may take part in mass organisations for the mutual benefit to protect national achievement and social order.

National Laws and Regulations Affecting Sector

Relevant laws relating to civil society in Cambodia include:

Law on Political Parties (1997) (amended in 2017);

- Law on Taxation (2004);
- Penal Code (new 2009 Code pending enactment);
- Civil Code (2007);
- Counter-terrorism Law (2007);
- Law on Agricultural Cooperatives (2013);
- Law on Associations and Non-Governmental Organizations (LANGO) (2015);
- The Law on Election of Member of National Assembly (LEMNA) (2015); and
- Trade Union Law (2016); and
- [Law on Telecommunications](#) (2015) (unofficial translation).

Registration: The LANGO outlines new burdensome registration requirements, but leaves the actual registration procedure to be determined by the Ministry of Interior through administrative orders or Prakas. As of February 2015, these Prakas have not been drafted. INGOs are also subjected to burdensome registration requirements under the LANGO, including signing a Memorandum of Understanding with the Government before undertaking any activities. Under the newly passed LANGO, the Ministry of Interior has complete discretion over registering associations. Registration can be denied on the broad grounds of “endanger[ing]” the security, stability and public order or jeopardize the national security, national unity, cultures, tradition, and custom of the Cambodian national society.”

Legal personality: The Civil Code, adopted in 2007, recognizes registered NGOs as legal entities and makes them subject to its provisions. The LANGO now requires all NGOs and associations, including informal groups, to register and thereby conferring legal entity status.

Criminal responsibility: Members of NGOs are subject to the Cambodia Penal Code. The 2007 Counter-terrorism Law has detailed provisions relating to the question of financing of and material assistance to terrorism. The new LANGO provides that associations and NGOs are subject to criminal punishments in accordance with the existing criminal law in Cambodia for offenses including jeopardizing national security and operating without registration.

Election activity: The Law on Election of Member of National Assembly (LEMNA) was passed in March 2015 with provisions that ban CSOs from engaging in the electoral process, including pre- and post-election campaigns.

Taxation: According to the 1997 Tax Law, NGOs do not pay taxes on their income, if they are organizations with either religious, charitable, scientific, literary, or educational purposes. (Article 9 of the Tax law)

Financial transparency: NGOs are accountable to the public that they aim to serve, and to their donors through financial audits. To guard against financial mismanagement and corruption, the recently enacted Anti-corruption Law will be applicable to everyone, including public authorities, civil society actors and private enterprises. The new LANGO provides that domestic and foreign NGOs must annually report on activities and finances, and are subject to government audits.

Self-regulatory mechanism: NGOs in Cambodia have established a Voluntary Certification Scheme. To be certified by this system, NGOs must comply with a Code of Ethical Principles. The system is recognized at international and national levels as an effective way to build accountability and transparency.

Internet privacy: The Law on Telecommunications was approved in December 2015 with provisions that give the government sweeping powers to spy on electronic communications and criminalize communication deemed to cause “national insecurity,” among other reasons.

State of emergency: The Law on National Management in the State of Emergency negatively impacts freedom of expression, the right to access to information, freedom of assembly, freedom of movements, the right to privacy related to state surveillance, and the right to property through

obscure provisions that are prone to broad interpretation to fit political interest when applied. If found guilty, an individual could be jailed between 5-10 years in prison.

Pending NGO Legislative / Regulatory Initiatives

1. International partners and the Royal Government of Cambodia (RGC) signed an agreement to draft the Freedom of Information Law in mid-2014, with the drafting to take approximately three years. In October 2019, the Information Ministry [announced](#) that the draft Law on Access to Information was ready to be reviewed. [Human Rights Watch](#) urged the RGC to amend the draft Law to reflect international standards relating to the right to information under Article 19 of the ICCPR. As of May 2021, the Information Ministry [pledged](#) to soon conclude consultations with the Ministry of Justice on the draft law. After that, the draft law is scheduled to be submitted to the Council of Ministers before it is sent to the National Assembly by the end of 2021. The draft law consists of nine chapters and 38 articles and aims to provide the Cambodian public the right of access to information and set legal obligations for the government's ministries and public institutions to release information. During the 5th Media Forum on 15 January 2023, Prime Minister [Hun Sen stated that all inputs](#), including those from NGOs and UNESCO, are needed, and that the draft law could be passed in 2024 or 2025.

2. On September 25, 2020, the Ministry of Interior [discussed](#) the draft Cybercrime Law and sought additional inputs. This law was first initiated in 2016 and has been discussed in 67 meetings already with experts from the Ministry of Interior and has received technical support from the U.S. Ministry of Justice. The law aims to determine education and prevention measures to combat a variety of offenses committed through computer systems. On 7 September 2022, Minister of Interior [met](#) with relevant authorities to discuss the final details of the draft law, which is expected to be completed soon.

3. In August 2019, the Ministry of Information [began reviewing amendments](#) to the Press Law to bring it in line with recent developments in the media industry and current legal standards. In November 2019, the International Federation of Journalists [appealed](#) the government to expedite the amendments to meet global press standards to ensure the protection of journalists. The latest [meeting](#) to discuss the Press Law took place in September 2020 in Phnom Penh. As of December 2021, the Ministry of Information was still [gathering suggestions and inputs](#) for the amendments.

4. On August 13, 2020, NGOs [called](#) on the RGC to immediately discard the draft Law on Public Order and uphold the country's obligations under international human rights law. The draft law aims to regulate public spaces and public behavior within those spaces.

5. On November 26, 2019, the National Assembly [unanimously passed amendments](#) to the Trade Union Law, stating that they would promote workers' rights and ensure union freedoms. "Unions are no longer required to make and submit a copy of activity and finances to the Labour Ministry, but the ministry has an obligation to demand those reports if requested by union members or donors." However, unions have argued that "requested audit of activity and financial reports will result in interference." Articles 54, 55, and 59 in the old law stated that unions have the right to be a representative of the workers to solve labour disputes, but the new amendments stipulate that a unionist can no longer represent workers in labour disputes.

6. On November 5, 2019, the Interior Ministry [held a meeting](#) on revisions of the Law on Non-Governmental Organizations (LANGO) in order to address concerns raised by NGOs relating to registration, facilitation of fieldwork, and restrictions on human rights work. The Interior Ministry then [met](#) with representatives of local and foreign NGOs to review and comment on draft amendments to the Law. After a series of meetings, a coalition of NGOs [stated](#) that they believed the government lacked the will to make amendments. The most recent [meeting](#) on revising LANGO took place in February 2021 in Phnom Penh. The Ministry of Justice secretary of state Chin Malin said after attending the meeting that, "We reviewed [NGOs'] input to determine whether their requests conformed to a legal basis. We also looked at various legal perspectives and compared the

proposals with practices in other countries around the region. The working group found some proposals acceptable while others were not. There are some additional points about which we will discuss further with NGOs in order to understand their goals and intentions.”

7. Since 2015, the Ministry of Interior has reportedly been drafting a Law to Protect State Secrets with the assistance from Vietnam for training Cambodian officials. The draft law would aim to protect “state secrets in order to ensure national secrecy is strictly protected” and to “prevent against faked or doctored documents.” However, the concern is that the drafting process has not been open and transparent.

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Legal Analysis

Organizational Forms

The LANGO provides the following definitions for NGOs and Associations:

1. A domestic association refers to a membership organization created under Cambodian law by natural persons and/or legal persons with the purposes of representing and protecting the interests of its members without making profits or gain for mutual distribution.
2. A domestic non-governmental organization refers to a membership non-governmental organization, including foundations, created under Cambodian law by natural persons and/or legal persons with the purpose of providing funds or services in one or many realms in order to serve the public interest without making profits or gain for mutual distribution.
3. A foreign association or foreign non-governmental organization refers to a legitimate organization created outside the country with the purpose of conducting activities to serve the public interest without making a profit.

Public Benefit Status

According to the 1997 Tax Law, NGOs with either religious, charitable, scientific, literary, or educational purposes are exempt from taxation on their income. (Article 9, Tax law).

Barriers to Entry

Under the new LANGO, the legal framework in Cambodia includes at least three barriers to the formation of organizations.

First, registration for all NGOs and associations is required. Unregistered organizations can be closed down and face criminal sanctions. Despite assurances from the Ministry of Interior that the LANGO would not apply to community-based organizations (CBOs), some small groups have been barred from meeting on the grounds that they lack registration under the LANGO. For example, just days after the passage of the LANGO, officials in Kratie province demanded that a small group of families involved in land rights advocacy register with the Ministry of Interior or be “punished.”

Second, the LANGO still requires INGOs to conclude a Memorandum of Understanding (MOU) with the Ministry of Foreign Affairs and International Cooperation (MoFA/IC). The current procedural requirements of the Ministry of Foreign Affairs and International Cooperation (MoFA/IC) for the registration of INGOs are complex and burdensome. Besides requiring an MOU, an INGO must receive a supporting letter from a line ministry as a prerequisite for processing the

MoU or for renewing the MoU with MoFA/IC. An INGO must also submit supporting letters from all local partners that it has an agreement or MOU with.

INGOs that support human rights and democracy find it hard to conclude the MoU and/or receive the supporting letter from the line ministry, as these INGOs are not working directly with any line ministry. The registration process also sometimes requires INGOs to make unofficial payments to the officials in order to get MoU approval in a timely manner. In addition, line ministry has sometimes required INGOs to have line ministry officials employed by the organization as a pre-requisite for the MoU supporting letter, though this practice might be rare. Some organizations also have had to pay a facilitation fee to fast track their MoU and line ministry officials have in some instances required organizations to employ line ministry officials as a pre-requisite for the MoU. It is unknown how prevalent these practices are.

Local NGOs that register with Ministry of Interior (MoI) are also subject to complex and lengthy procedures, pursuant to the LANGO. The process starts with securing approval on key documents from local authorities and submitting them to the MoI. Most of the applications do not meet the requirements for registration without assistance from MoI officials. The applicant may need to make revisions and/or wait for approval from one official or another. Reportedly, this process can be even more difficult if no payments are made to officials.

For local NGOs and associations, registration with the MoI requires the applicant organization to provide:

1. Application forms for registration, two (02) copies;
2. A letter stating the address of the central office of the domestic association or non-governmental organizations issued by the commune or Sangkat chief, one (01) copy;
3. Profiles of each founding members with a recent 4×6 size photograph, two (02) copies;
4. Statutes signed by the president of the domestic association or non-governmental organization, two (02) copies.

For INGOs, registration with the MoFA/IC requires the applicant organization to provide:

1. A letter of the director of a foreign association or non-governmental organization which has its permanent office in a foreign country, requesting to appoint its representative with the attachment of the profile of a person requested to be appointed, one (1) copy and the request to open a representative office, one (1) copy;
2. A letter stating the address of the representative office in the Kingdom of Cambodia issued by the Commune or Sangkat Chief, one (01) copy;
3. An operation permit for the foreign association or non-governmental organization issued by a foreign competent authority of the country of origin, one (1) copy;
4. A supporting letter of the projects of the foreign association or non-governmental organization issued by the public authorities of the Kingdom of Cambodia, one (1) copy;
5. A certifying letter declaring the budget for implementing the projects of the foreign association or non-governmental organization for at least six (06) months, issued by its permanent office in the foreign country, one (1) copy;
6. A pledging letter to provide all accounts of the foreign association or non-governmental organization in the banks in the Kingdom of Cambodia, one (01) copy.

INGOs are required to renew the MoU every 3 years.

Third, the legal framework does not provide procedural safeguards that ensure a professional, apolitical, uniform registration process. The Government has wide discretion to deny registration based on broad grounds. For a domestic organization, the Ministry of Interior can deny registration if an association's purpose and goal is found to endanger security, public order, national unity, culture, and tradition, and custom of the Cambodian national society. No grounds for denial of registration are provided for INGOs. The LANGO provides a right to domestic NGOs to appeal a registration decision to the court, but no further details to exercise this right are provided.

Barriers to Operational Activity

Advance notification and approval: Regarding Local NGOs: The Ministry of Interior (MoI) has issued guidelines relating to activity notification. If local NGOs are conducting activity in a province other than where they are registered, then the local authority needs to be informed five days in advance. In some provinces the guidelines are interpreted as directives that mean that approval for activity is required by provincial authorities.

Regarding INGOs: Article 2 of the Memorandum of Understanding (MoU) requires INGOs “to carry out its humanitarian projects in other locations or provincial cities upon due approval of relevant governmental authorities based on government priorities.” Article 18 requires INGOs to work “in close consultation with counterpart government institutions and local authorities to implement the approved projects or programs.” In particular, INGOs must inform counterparts when assigning a consultant to work in the field or requesting visa extension for an expert to complete the job. It is unclear if the LANGO will affect these requirements.

Political activity: Currently NGOs and INGOS are required “to refrain from activity in support of Political Parties.” There is concern that political activity will be subject to broader restrictions under any new legislation.

Reporting requirements: MoUs with line ministries, MoI, and MoFA/IC, and the CDC require CSOs to provide both regular (quarterly and annual) reports on their finance and progress. The varying formats and requirements and frequencies of reporting pose a formidable challenge to CSOs. Small local NGOs may not be able to produce reports meeting these requirements. It is difficult for NGOs that are working on sensitive issues, such as human rights violations, human trafficking, and legal aid, to report the status of these cases during the investigation process, which often requires confidentiality and privacy. In June 2023, Prime Minister Hun Sen warned NGOs that they will be [shut down](#) if they fail to report their financial statements to the government: “If you do not report, the government will take measures to dissolve those organizations.” The Interior Ministry’s Secretary of State Bun Honn said that LANGO doesn’t restrict NGOs as critics have claimed, and that filing the financial reports is not complicated.

Government harassment: There is growing concern that the RCG is increasingly applying pressure and intimidation on people in the communities NGOs work with and also directly on NGOs and their staff. This is particularly evident where NGOs are conducting activities relating to the protection of land rights of the poorest communities in urban and rural areas, natural resources management, and the promotion of the freedoms of expression, assembly and association. In such spheres of activity, the Government has acted arbitrarily to restrict the freedom of movement and the freedom of assembly and expression.

Examples of state action include:

1. Permission needed for community members to travel (even between villages);
2. Meetings monitored by police and state authorities;
3. An increase in the frequency of arrests, charges and detention of NGO representatives and community members;
4. Threats against communities that engage with NGOs;
5. Photographing meeting participants;
6. Requesting names/contacts of meeting participants; and
7. Police disturbances of activities in meetings.

Barriers to Speech / Advocacy

There are a number of legal avenues used by the courts to curtail the freedom of expression in the country, namely through charges of defamation, disinformation and incitement. Such legal avenues are found within the UNTAC Code (Provisions relating to the Judiciary and Criminal Law and Procedure Applicable in Cambodia during the Transitional Period). According to one NGO

representative, “The ruling party has embarked on a campaign to crack down on freedom of expression and suppress the parliamentary opposition, the news media, the legal profession and, to some extent, NGOs. At the center of the campaign is the government’s misuse of the courts to file unjustified criminal charges against its critics.” [1]

An October 2009 statement made by the Special Rapporteur on Human Rights in Cambodia to the Human Rights Council asserted that the defamation laws of Cambodia have gone beyond what is a permitted level of restriction on the freedom of expression under the 1966 International Covenant on Civil and Political Rights, to which Cambodia is a party. A series of defamation and disinformation suits were brought primarily by high-ranking government officials against opposition journalists and editors, opposition Parliamentarians and human rights defenders in 2009.

New laws passed in 2015 further constrained freedom of expression. The LANGO requires political neutrality of all CSOs, and CSOs risk being denied registration or being shut down if they are found to jeopardize national security, national security, national unity, cultures, tradition, and custom of the Cambodian national society. The Law on Election of Member of National Assembly (LEMNA) was passed in March 2015 with provisions that ban CSOs from engaging in the electoral process, especially pre-, during, and post-election campaigns. In particular, CSOs are prohibited from “insulting” or showing bias during the campaign period, election observers who “disturb” the polls are subject to fines, and foreigners can be deported if they are found to be “campaigning” for a party. The Law on Telecommunications was also approved in December 2015 with provisions that gave the government sweeping powers to spy on electronic communications and criminalize communication deemed to cause “national insecurity.”

In addition, in 2015 and 2016, Facebook users, environmental activists, and members of the opposition party were arrested or charged with crimes. 25-year-old student Kong Raya, for example, was convicted of incitement to commit a felony for making a posting on his Facebook page asking if anyone would “dare to make a color revolution with me?”

In March 2018, the government promulgated an amendment, Cambodia’s Criminal Code, Article 437(Bis) “Insulting the King.” Article 437(Bis) states, “An insult addressed to the King shall be punishable by imprisonment from 1 (one) year to 5 (five) years and/or a fine from 2,000,000 (Two Million) to 10,000,000 (Ten Million) Riels. The term “insult” is defined in Article 437(Bis) as “any speeches, gestures, scripts/writings, paintings or items that affect the dignity of individual persons.” Article 437(Bis) is a “Lèse Majesté” provision, which essentially criminalizes any negative speech against the King. This provision will restrict the freedom of expression and is in violation of international law.

In addition, on August 1, 2019, Mai Hongsreang, an activist of the dissolved Cambodia National Rescue Party, was arrested by Anti-Cybercrime Department police for allegedly insulting government leaders on social media. In May 2019, Sam Rainsy, the “acting president” of the the same political party, was sentenced to a total of eight years in prison with a fine of 10 million riel on two charges of “Inciting Military Personnel to Disobedience and Demoralising the Army” and “Insulting King Norodom Sihamoni” under articles 471 and 472 of the Criminal Code, respectively. As a result of this, in June 2019, 73 local and international CSOs [released](#) a joint statement stating that “CSOs express serious concern and call for a stop to the ongoing judicial harassment of former Cambodia National Rescue Party members.” The 73 CSOs also urged the government to cease their campaign of legal harassment under “vague allegations” and adopt “concrete measures to restore political and civic space, ensure respect for the human rights of all Cambodians, and foster a free and enabling environment for civil society.”

In July 2019, several activists, including Kong Raiya and Soung Neakpaon, were also arrested for commemorating the anniversary of political analyst Kem Ley’s death. Raiya was selling T-shirts with the printed message: “You will also be VICTIMIZED even if you do nothing. It’s just a matter of time.” Both Raiya and Neakpaon were charged with “incitement to commit a felony,” which carries a potential prison sentence of six months to two years, and the other activists were immediately released. UN human rights experts expressed their concern over the arrests of activists for their involvement in a “peaceful commemoration ceremony” of Kem Ley and demanded the

immediate release of Kong Raiya and Soung Neakpaon. They reaffirmed their previous concern about the “ongoing crackdown on civil society and the enjoyment of fundamental freedoms.”

On April 8, 2020, online journalist Sovann Rithy, the Director of the TV FB news outlet, was arrested for committing the felony of inciting the public for quoting a statement made by Prime Minister Hun Sen on his Facebook page. The statement was, “If the moto taxi driver is bankrupt, they can sell their moto because the government is unable to help” in the context of the RGC’s measures on COVID-19. This act of Mr. Sovann Rithy was seen as an insult to the Prime Minister, which is the RGC’s pretext to shut down any dissenting voice. In total, there were [35 reported cases](#) of harassment against 72 journalists in 2020. Imprisonment and violence were the most common forms of press freedom violations documented by human rights organizations. Nearly all cases (64 incidents) involved journalists working at online news organizations.

In March 2021, Human Rights Watch further expressed [concern](#) about the arrests of Cambodians by the Cambodian authorities for allegedly spreading fake news about COVID-19. According to Human Rights Watch, 17 people were arrested since late January 2021 for spreading such news. One prominent case of a restriction on the freedom of speech and expression of the political opposition occurred on March 1, 2021 when Sam Rainsy, leader of the dissolved CNRP, was [convicted](#) and sentenced in absentia together with eight other CNRP leaders to 25 years in prison. The sentence was 22 years for deputy leaders Mu Sochua and Eng Chhay Eang, and 20 years for the other leaders. They were accused of an attempt to stage a coup by announcing their plans to return to Cambodia on November 9, 2019.

In February 2023, Prime Minister Hun Sen, through his Facebook page, ordered the Ministry of Information to revoke the media license of the Voice of Democracy (VOD) without any due process. All VOD broadcasts were required to be off the air by 10:00 am the next day. International human rights organizations, embassies, local CSOs, and independent media condemned the crackdown on what was likely the last remaining independent media organization in the country. 96 media groups and CSOs released [a joint statement](#) on the VOD crackdown. After handing down power to his son in August 2023, Hun Sen also filed a complaint in Phnom Penh Municipal Court against Soeng Senkaruna, who is the deputy head of the Cambodian Human Rights and Development Association (ADHOC). The complaint asserted that Senkaruna dishonored the Cambodian People’s Party (CPP) when he stated that the ruling party has used its influence with the courts to put pressure on its political opponents. Ironically, Hun Sen’s complaint only seemed to confirm Senkaruna’s claim.

Barriers to International Contact

There are no legal barriers limiting international contact or communication. However, the case of Transparency International Cambodia (TIC) is indicative of government stifling international NGO operations. The TIC and the government’s Anti-Corruption Unit (ACU) signed an MoU to implement some key activities in fighting against corruption after September 2012. During the election process in July 2013, TIC was actively engaged in election monitoring and providing comments for reform on issues such as the national election committee and the ACU. However, the Executive Director of TIC was not allowed to participate in a joint event organized by TIC and the ACU in September 2013 as he was accused of being “a politician.”

Barriers to Resources

There are no explicit legal restrictions inhibiting either domestic or foreign funding. In terms of spending, there is a guideline limiting the amount spent for administration to a maximum of 25% of funding. However, the final version of the [Development Cooperation and Partnership Strategy \(DCPS\) 2014-2018](#) encourages all funding, especially Official Development Aid, to be managed and channeled through the Council for Development of Cambodia (CDC). The DCPS therefore can restrict CSOs’ ability to receive direct funding from bilateral and multilateral donors and could lead

to bureaucratic institutions that contribute to disenabling environment for CSOs to finance generated independently.

Besides this, the LANGO has a potential impact on international donor funding to domestic civil society and increased scrutiny on civil society finance by the government. According to a 2012 study by Suárez and Marshall, about 60% of grants and contracts were provided by the United Nations, foreign governments, and INGOs. However, many bilateral and donors have withdrawn their support from Cambodia. As a result, hundreds of CSOs have closed their offices or ceased some project. These will negatively affect livelihood and human rights of the poor and vulnerable people, especially women, children, indigenous and marginalized citizens.

Barriers to Assembly

As a general rule, the right to freedom of assembly in Cambodia is governed by the Law on Peaceful Demonstrations (LPD), which was adopted by the National Assembly and promulgated in late 2009. In December 2010, the Ministry of Interior adopted an Implementation Guide (IG) to be used as a basic tool to assist the authorities and citizens in respecting and complying with the LPD. While many CSOs have become aware of the LPD and IG through regional trainings, the authorities dealing with various demonstrations have not received such extensive training and are therefore have lower awareness of the LPD and IG.

An example of the lack of awareness and implementation of the LPD and other good practices related to freedom of assembly occurred on January 3, 2014, when Cambodian police fired on garment workers protesting for a higher minimum wage, killing at least three people and injuring several others. An activist from the local human rights group Adhoc said as many as 10 of the protesters were badly injured. On January 4, 2014, the Cambodian authorities proceeded to ban all public gatherings and protests “until security and public order has been restored.” In November 2019, armed forces deployed around Cambodia to suppress gatherings ahead of the publicized return of opposition activist Sam Rainsy. Military vehicles with machine gun turrets were placed directly across the street from Phnom Penh International Airport, and armed forces processed through the streets of Banteay Meanchey, Battambang, Kampong Thom, Koh Kong, and Svay Rieng provinces.

Several impediments also arise under the LPD:

Vague Definition. Article 2 of the LPD states that its purpose is to assure the freedom of expression of Khmer citizens through peaceful assembly, but also states that “this right shall not be used abusively affecting the rights, freedoms and honor of others, good customs of the national society, public order and national security.” The law therefore contains terms that could be interpreted arbitrarily, such as “honor of others.”

Right available to citizens only. Article 41 of the Cambodian Constitution extends the right to assembly only to Khmer citizens. The LPD is based on the same limited assumption, assuring the freedom of expression through peaceful assembly only to “Khmer citizens.” (Article 2, LPD).

Advance Notification. To hold an “ordinary” demonstration, the organizers must notify the Provincial Governor at least five days in advance. Demonstrations of fewer than 200 people (i.e., not an “ordinary” demonstration) require 12 hours notice. If a planned demonstration will have less than 200 attendees, it may take place in one of the country’s designated “freedom parks.” Competent municipal or provincial territorial authorities must examine and respond within a maximum period of three working days from the date the notification letter was submitted. If the competent municipal or provincial territorial authorities fail to respond within three days, then “that implies that the competent municipal or provincial territorial authorities have approved” the assembly. (Article 10)

During the July 2013 general elections and post-election period, CSO requests for holding assemblies were restricted to allow only a limited number of participants in demonstrations/rallies.

In July 2015, authorities in Phnom Penh arrested and released six people dressed in prison uniforms and chained together for protesting outside the National Assembly against the LANGO, reportedly on the grounds that they did not ask for permission to protest. More recently, in February 2020, the RGC through the Ministry of Environment prevented the Prey Lang Community Network from holding an environment-related event, citing its failure to get approval in advance.

Time, Place and Manner Restrictions. The LPD explicitly prohibits demonstrations on national holidays, including: the King's birthday, Coronation day, Water Festival, National Independence day, Khmer New Year day and Pchum Ben day. In addition, all demonstrations must occur between 6:00am and 6:00pm (Article 14).

In December 2018, hundreds of participants gathered in the Phnom Penh's Democracy Square to mark 70 years since the signing of the Universal Declaration of Human Rights. However, they, were met with "restrictions", such as a limitation to gather [only in the square](#). There was also a heavy police presence at the square.

Enforcement: Although the LPD Implementation Guide expressly instructs authorities to "show absolute patience with demonstrations," there are in fact frequent instances of the authorities' misapplying the Demonstration Law and breaking up peaceful demonstrations with excessive force. This is especially true in relation to demonstrations of a political nature. For example, on January 3, 2014, Cambodian police fired on garment workers protesting for a higher minimum wage, killing at least three people and injuring several others.

In addition, in December 2013, the government warned Mr. Rong Chhun and his colleagues in labor unions and teachers' associations that they will be arrested or jailed if they continue to hold demonstrations. In January 2014, there were then several bloody and brutal crackdowns against the protestors who were demonstrating for better payment and justice. At least four people were shot to death, about 39 people injured, and 23 people arrested and detained in prison far from Phnom Penh. The government warned people to not gather together more than 10 people and/or carry out further demonstrations.

More recently, the Cambodia National Rescue Party (CNRP)'s members have a focus of government attempts to restrict the freedom of assembly:

- On February 26, 2021, police arrested Thun Chantha, a former commune chief for the dissolved CNRP, in Phnom Penh's Toul Kork district. On February 28, the Phnom Penh court charged him with "incitement to commit a felony" under articles 494 and 495 of Cambodia's penal code and sent him to pre-trial detention at Phnom Penh's Correctional Center 1 (CC1).
- On February 27, 2021, police arrested Mey Sophorn, who is an activist of the dissolved CNRP and member of a group of relatives of detained opposition activists, "Satrey Khlarhann (Brave Women)", who organize regular Friday protests calling for the release of their relatives. On February 28, the Phnom Penh court charged Mey Sophorn with "incitement to commit a felony" under articles 494 and 495 of Cambodia's penal code and sent her to pre-trial detention at Phnom Penh's Correctional Center 2 (CC2).
- On December 31, 2020, police arrested Kong Mas, a youth member of the arbitrarily dissolved CNRP, in Svay Rieng province, after he joined a protest in front of a Phnom Penh court calling for the release of detained CNRP members and trade union leader, Rong Chhun. The same day, the Phnom Penh municipal court charged Kong Mas with "conspiracy" under article 453 of Cambodia's penal code and ordered his pre-trial detention at Phnom Penh's Correctional Center 1 (Prey Sar) prison.

Criminal Penalties: Article 495 of the Criminal Code, which provides penalties for disturbances of social and national security, can be applied to people engaged in demonstrations. In addition, people who protest against the implementation of a court decision that they regard as unjust may be open to accusations of incitement to obstruct a public official (Articles 505 and 506).

The 2020 Law on National Management in the State of Emergency provides the RGC with additional legal authority to restrict freedom of assembly and gatherings, as well as the freedom of movement, as deemed necessary in response to COVID-19. There have been concerns that barriers to assembly have been exacerbated by the government's policies and measures to combat COVID-19.

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Reports

UN Universal Periodic Review Reports	The Universal Periodic Review of Cambodia was held on 30 January 2019. On 1 February 2019, the Working Group adopted the report on Cambodia.
Reports of UN Special Rapporteurs	Cambodia Report of the Special Rapporteur on the situation of human rights in Cambodia (2019)
Fundamental Freedoms Monitoring Project	Cambodia (2022)
USIG (United States International Grantmaking) Country Notes	Not available
U.S. State Department	Human Rights Report (2023)
Fragile States Index Reports	Foreign Policy: Fragile States Index 2023
IMF Country Reports	Cambodia and the IMF
International Commission of Jurists	Not available
International Center for Not-for-Profit Law Online Library	Not available

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News and Additional Resources

News Items

[Cambodia ramps up efforts to combat fake news](#) (September 2024)

Various ministries and institutions in Cambodia are increasingly busy responding to the frequent spread of fake news on social media, particularly content originating from abroad. The latest instance occurred on September 3, when a fake Royal Decree falsely claimed that Minister of Interior Sar Sokha had been promoted to the title of Samdech Krom Preah, or prince. Sokha immediately denied the claim and urged the authorities to bring the perpetrator to justice. Tep Asnarith, a spokesperson for the Ministry of Information, noted that misinformation has been on the

rise as the world becomes more interconnected through modern communication methods, partly fueled by the misuse of AI technology.

Ministry Reports Over 1,700 Fake News Cases (September 2024)

The Undersecretary of State and Spokesman for the Ministry of Information Tep Asnarith said that in the first half of this year, the ministry has identified over 1,700 instances of fake information, representing a 12% increase compared to the same period last year, when 1,519 cases were recorded. These figures do not account for cases identified by other government bodies, institutions, or organizations. According to Asarith, fake news is often generated by individuals or groups seeking personal or political gain, as well as economic advantages. The spread of false information poses significant risks to daily life, public order, and social harmony. It has the potential to disrupt societal peace and affect families and communities adversely.

Securing Comment on Critical Issues Challenging as Space For Independent Media Shrinks (September 2024)

Journalists at the few remaining independent media outlets in Cambodia are faced with an uphill task of securing interviews or comments from analysts or social commentators on critical or sensitive issues as the latter are afraid to talk about sensitive social issues. As a result, the flow of trusted information to the public has been impacted, journalists lamented, noting that the intimidation on commenters was also a form of restriction on press freedom.

Arrests Target Critics of Regional Development Zone (August 2024)

Cambodian authorities have arbitrarily arrested at least 94 people since late July 2024 for publicly criticizing the Cambodia-Laos-Vietnam Development Triangle Area (CLV), Human Rights Watch and Amnesty International said. At least 59 of those arrested, which include environmental, human rights and other activists, remain unlawfully detained and charged for peacefully expressing their views, including several children. The authorities should immediately drop all charges for which no internationally recognized charge is brought.

Cambodia jails 10 environmentalists in ‘crushing blow to civil society (July 2024)

Ten activists from a prominent youth-led environmental group in Cambodia have been sentenced to between six and eight years in jail in a case human rights experts have widely condemned. The activists from Mother Nature, an award-winning group of environmental campaigners, were found guilty on charges of plotting against the government, while three were also convicted of insulting the king. They denied the charges. Four of the defendants were arrested outside the court in Phnom Penh after the verdict was delivered on Tuesday morning, according to reports. Others were sentenced in absentia.

NGOs urge CPP to withdraw complaint against ADHOC officials (February 2024)

Ten NGOs have urged the Cambodian People's Party (CPP) to withdraw its complaint against Soeng Senkaruna, spokesman of human rights group ADHOC, over his "slandering remarks" about the ruling party. Sok Eysan, CPP spokesman, said that the NGOs have the right to request to withdraw a complaint, but it is the right of the court to decide on the case.

Hun Sen Threatens to Dissolve NGOs That Don't Report Financials (June 2023)

Prime Minister Hun Sen warned Cambodia's non-governmental organizations that they will be shut down if they fail to report their financial statements to the government, speaking at a meeting with workers in Kandal province on Saturday. "I would like to send a message to friends and non-governmental organizations to let them know that the royal government's stance is not to withdraw from the financial statements [requirement]," Hun Sen said "If you do not report, the government will take measures to dissolve those organizations." He said he had discussed with Interior Minister Sar Kheng the timeline for when NGOs that have failed to submit their financial statements will be dissolved.

FM to NGOs: Submit financials (May 2023)

Foreign minister Prak Sokhonn urged international NGOs to respect Cambodia's Law on Accounting and Auditing, noting that less than 50 per cent of them have submitted their required annual financial reports. While presiding over the opening of the third round of consultative

meetings with foreign NGOs, Sokhonn said their compliance with the laws would contribute to the prevention of Cambodia from falling back into the “grey list” of the Financial Action Task Force (FATF) – an intergovernmental body set up to develop policies to combat international money laundering and financing of terrorism.

Cambodia: Renewed Attacks on Political Opposition (April 2023)

The [Cambodian](#) government has stepped up its attacks on political opposition members in advance of national elections slated for July 2023, Human Rights Watch said today. The authorities should immediately end the government’s violent rhetoric, release the seven political activists currently detained, and investigate and appropriately prosecute those responsible for recent assaults on opposition Candlelight Party members. Prime Minister Hun Sen has a history of [explicitly threatening physical violence](#) and [arrests](#) against political opponents. During [a speech on January 9](#) in Kampong Cham province, he warned the opposition not to criticize the ruling Cambodian People’s Party ahead of the upcoming elections. Since then, a number of opposition party members have been assaulted in Phnom Penh in broad daylight while others were convicted on politically motivated election forgery charges.

CHRC rebuffs Amnesty International report on human rights (April 2021)

On April 9, 2021, Cambodian Human Rights Committee (CHRC) rejected the claims made by Amnesty International that Cambodia had “severely” violated human rights and restricted the opposition, civil society and media in 2020, calling the claims an “exaggeration.”

TikTok users charged with spreading ‘fake news’ (April 2021)

In April 2021, three men who were TikTok users were arrested and charged with spreading fake news about COVID-19 vaccines. They were then found guilty of violating Article 11, which refers to “obstruction of the implementation of a measure,” and they can be imprisoned for anywhere from six months to 3 years. They can also face fines of \$200-\$25,000.

Sam Rainsy sentenced to 25 years in prison by Cambodian court (March 2021)

Phnom Penh Municipal Court has sentenced former opposition leader Sam Rainsy to 25 years in prison and deprived him of the right to vote or stand as a candidate in upcoming elections for plotting to overthrow the government of Prime Minister Hun Sen. Phil Robertson, deputy Asia director of Human Rights Watch, said the charges were “politically motivated allegations manufactured by a dictatorial, single-party state.”

Cambodian activist arrested for criticizing Chinese COVID-19 vaccine (March 2021)

On March 2021, Thorn Kimsan, a former member of CNRP, was arrested for inciting social unrest by claiming that the Chinese COVID-19 vaccines were unsafe and caused several deaths. She was taken into custody by plainclothes police while working in a restaurant in Phnom Penh.

Implications of NGO Law on the Right to Freedom of Association of Human Rights Defenders (June 2020)

This article, published in the Journal of Southeast Asian Human Rights, explores core elements, limitations and state obligations concerning the right to freedom of association provided by the international human rights treaties that Cambodia has ratified. It further examines key provisions of the Law on Associations and Non-Government Organizations (LANGO) regarding the right to freedom of association of human rights defenders. The article concludes that LANGO offers extensive regulatory guidelines for all associations and NGOs in Cambodia; yet it also trigger concerns not due to the details, but the lack thereof which could undermine the promotion and protection of the right to freedom of association and other universally recognized human rights and fundamental freedoms in Cambodia as a whole.

CPP rolls out plan to address fake news (May 2020)

The Cambodian People’s Party provided details of a monthly plan to address “fake news,” in an effort to “quell misleading information that could lead to political or economic subversion.”

Conservation NGO suspended for allegedly not providing adequate documentation (April 2020)

The Ministry of Interior temporarily suspended all activities of the Cambodia Wild Life Forest Fisheries Protection and Conservation NGO for violating articles 10 and 25 of the LANGO with regard to failures to submit financial and activity reports to the Ministry.

State of Emergency Draft Law Would Allow PM Hun Sen to Run Cambodia ‘by Fiat’ (April 2020)

Draft legislation authorizing a state of emergency to contain the spread of the coronavirus in Cambodia would “empower Prime Minister Hun Sen to override fundamental human rights protections,” Human Rights Watch (HRW) said, urging the government to withdraw the bill. On March 31, 2020, Cambodia’s Council of Ministers approved the “Law on Governing the Country in a State of Emergency,” which HRW warned would allow the government to “restrict all civil and political liberties and target human rights, democracy, and media groups.” A vote on the bill by the country’s one-party National Assembly is expected later this week or early next week.

COVID-19 Clampdown on Human Rights (April 2020)

Cambodian authorities should stop arresting people for expressing concerns about COVID-19’s impact in Cambodia and claiming they are spreading so-called “fake news,” Human Rights Watch said. Human Rights Watch has documented the arrests of 17 people since late January 2020 for sharing information about the coronavirus in Cambodia. These include four members or supporters of the dissolved opposition Cambodia National Rescue Party (CNRP), all of whom remain in pretrial detention.

EU punishes Cambodia over human rights abuses (March 2020)

The EU launched a process to strip Cambodia of its preferential trade terms following the dissolution of the Cambodia National Rescue Party (CNRP) by the Cambodian government; the arrest of its leader Kem Sokha and many other politicians, journalists, and activists; and the crack down on independent media. The EU informed the Cambodian government it would have to fulfill its Everything-But-Arms (EBA) human rights commitments or lose preferential access to its market.

Ministry cooperates with NGOs to run welfare programme (January 2020)

The Social Affairs Ministry has signed an agreement with 11 civil society organisations to run social welfare programmes for three years. The NGOs will spend \$12,724,836 and work with the ministry on welfare development-focused programmes until 2023.

New network of journalists vows to promote press freedom and independent media in Cambodia (December 2019)

More than 200 participants attended the launching of the Cambodian Journalists Alliance (CamboJA) on 13 December 2019 in the capital city of Phnom Penh. CamboJA aims to promote press freedom, freedom of expression and professionalism in Cambodia’s media sector. It is a membership network of journalists registered at the government’s Information Ministry. It now has nearly 100 members who are freelance, staff, and even citizen journalists.

CHRC reviews UPR recommendations (October 2019)

The Cambodia Human Rights Committee (CHRC) held workshops with relevant stakeholders on Wednesday and Thursday to discuss the 173 accepted recommendations put forward by the UN Human Rights Council at the 32nd Universal Periodic Review (UPR) in Geneva. CHRC spokesperson Chin Malin told The Post that Wednesday’s session saw different embassies, the Office of the High Commissioner for Human Rights (OHCHR) and civil society organisations

participate in discussions. Thursday's half-day session was attended by government officials from relevant ministries and institutions for "technical level" discussions with UPR Info, a UN mechanism providing capacity-building tools to stakeholders of the UPR process.

'All can exercise their rights' (October 2019)

In promoting and protecting freedom of expression and freedom of peaceful assembly, the government announced 'the cancellation of the three-day advance notice previously required of civil society organizations before conducting public forums.' The government also initiated a biannual dialogue between the government and civil society organizations.

Gov't says no to teacher rally in support of CNRP (August 2019)

The Phnom Penh Municipal Hall has rejected a request by the Cambodian Independent Teachers Association (Cita) to hold a rally demanding the release of Kem Sokha and Sam Rainsy in order to improve Cambodia's chances of retaining the EU's "Everything But Arms" (EBA) agreement. The Cambodian Human Rights and Development Association (Adhoc) later released a statement expressing concern over the inroads being made into people's right to demonstrate and the restrictions on freedom of expression.

Government signs security agreement with Turkey (August 2019)

Cambodia and Turkey have signed a security cooperation agreement after Minister of Interior Sar Kheng met his Turkish counterpart Suleyman Soyly in Ankara this week for talks on international security.

Senators approve 2019-2023 development plan (July 2019)

Senators yesterday unanimously agreed to pass the National Strategic Development Plan of 2019-2023 worth \$57.7 billion in capital. In order for the budget plan to be finalised, it will need to be reviewed by the Constitutional Council and approved by the King. Mr Sarith said it would also help transition Cambodia from a lower-middle income country to an upper-middle income country in 2030.

End of Mission Statement from Rhona Smith (July 2019)

On May 9, 2019, the United Nations Special Rapporteur on the situation of human rights in Cambodia, Prof. Rhona Smith, released a concluding statement on her seventh mission in Cambodia. According to the statement, the Special Rapporteur emphasizes on the important partnership between the government and CSOs and the participation of CSOs at all level in achieving lasting peace, sustainable development and inclusive society under the framework of SDGs. The Special Rapporteur highlights the government's obligations to respect and protect the exercise of fundamental freedoms such as freedom of opinion and expression, freedom of assembly and free press.

CHRC reviews 'factual errors' in Smith's report (July 2019)

On July 17, 2019, the Phnom Penh Post reported that Cambodian Human Rights Committee found "factual errors" in the draft annual reports compiled by the UN Special Rapporteur on Human Rights in Cambodia, Professor Rhona Smith, which will be submitted to the 42nd session of the UNHRC in September 2019.

Cambodia Marks Human Rights Day Despite 'Restrictions' (December 2018)

Unions and rights groups have criticized the government and local authorities for placing "restrictions" on their planned events to mark International Human Rights Day on Monday. Several hundred participants, led by nine unions and non-governmental groups, gathered in the capital's Democracy Square on Monday to mark 70 years since the signing of the Universal Declaration of Human Rights. The demonstrators were met by a heavy police presence, as well as the deployment of informal para-police forces.

Cambodia's Hun Sen orders task force for civil society groups (October 2018)

Prime Minister Hun Sen has created a task force to address grouses of civil society groups that have

cried foul over restrictions placed by the government. The premier announced a line-up of eight officials to man the task force led by Interior Minister Sar Kheng, according to Voice of America. “Gather information; study the requests and proposal and share ideas with government, ministries and relevant stakeholders to resolve it,” Hun Sen said in a statement. The formation of the taskforce comes amid a visit by the United Nations rights envoy to Cambodia, Rhona Smith, who was on a fact-finding mission following criticisms by western countries on alleged suppression of basic freedoms in the Southeast Asian nation.

Cambodia’s government claims upcoming election will be free, fair and plural—but civil society says otherwise (July 2018)

Liberal, pluralistic, democratic, peaceful, free, fair, and non-violent. These were the words used in a video by a Cambodian state-affiliated press office to describe how the government will conduct the general election scheduled to take place on July 29, 2018. Campaigning starts on July 7, 2018. The video was likely intended to address the criticism from local and global civil society groups about the deteriorating state of democracy in Cambodia.

US cuts aid to Cambodia to ‘urge government to reconsider its current course’ (February 2018)

The White House is cutting aid to several assistance programs in Cambodia due to “recent setbacks to democracy”, it announced late Tuesday. Some programs supporting Cambodia’s Tax Department, military and local government will be cut or reduced “to ensure that American taxpayer funds are not being used to support anti-democratic behavior”, according to a statement from White House Press Secretary Sarah Huckabee Sanders.

Cambodia passes controversial lese majeste law (February 2018)

The National Assembly of Cambodia has passed a lese majeste law that makes it a crime to insult the country’s monarchy. The legislation also places new restrictions on freedom of assembly.

Ministry ups scrutiny of NGOs (October 2017)

The Interior Ministry has instructed provincial officials to urgently report any instances in which activities are carried out by any NGOs or grassroots associations without prior notification, adding that authorities can stop any planned events if they affect “public order and national security”. The letter, which was dispatched countrywide on October 2, coincides with an intensified government crackdown on NGOs. “Associations and NGOs wishing to conduct activities in the territory of a specific city or province have to inform the Ministry of Interior about the nature of activity or directly inform the administration . . . within three days before the activity starts,” the letter reads.

Cambodia Charges Opposition Leader Kem Sokha With Treason (September 2017)

The president of Cambodia’s main opposition party was formally charged with treason, after being accused by the country’s authoritarian government of plotting to overthrow its leaders with the backing of the United States. The charge comes amid a wider crackdown on dissent ahead of parliamentary elections next year, with a particular focus on groups linked to Washington. If convicted, the opposition leader, Kem Sokha, could be jailed for up to 30 years and his Cambodia National Rescue Party could be dissolved, under the terms of a law amended this year.

Observers Warn of New Era of Repression in Cambodia (August 2017)

A crackdown on independent NGOs, media and political parties that began almost two years ago has reached an inflection point that threatens to push Cambodia into a new era of repression, observers said. Political analyst Meas Nee said that citizens and the government’s definition of democracy were on a collision course, with Cambodians hoping for freedoms and rights the state found dangerous. The government worried that “if they give too much rights to the people, it might be hard to control. It might be dangerous.”

Anger Mounts as Radio Purge Knocks 19 Stations Off-Air (August 2017)

Independent radio producers, managers and listeners said they were angry and confused after an Information Ministry crackdown on at least 19 radio stations last week cut off access to programming for millions of potential listeners. Information Minister Khieu Kanharith denied any political motives in the closures, claiming the stations had violated their contracts with the

government by overselling programming to outlets like the Voice of Democracy (VOD) as well as U.S.-funded Voice of America (VOA) and Radio Free Asia (RFA). But Council of Ministers spokesman Phay Siphon seemed to suggest otherwise on Sunday, branding VOD director Pa Nguon Teang a “foreign agent” for accepting foreign donations and joining the ad hoc election monitoring group the Situation Room.

NDI Banned, Foreign Staff Face Forcible Expulsion (August 2017)

Foreign staff have been given one week to leave the country after the U.S.-affiliated National Democratic Institute (NDI) was ordered to cease operations in Cambodia. The expulsion of NDI for allegedly not fulfilling tax and registration obligations comes amid recent and mounting government threats against U.S.-funded groups. Following the announcement, a ruling party spokesman said NDI foreign employees would be ejected from the country “by force” if they do not willingly leave. Authorities “have reached the decision to stop the operation of the National Democratic Institute in Cambodia and to expel its foreign staff from the Kingdom within seven days after the official notification of this decision,” said a statement from the ministry.

New Laws Undercut Constitutional Freedoms and Rights (August 2017)

Newly-enacted laws have jeopardized the freedoms laid out by the Constitution and have left less than 12% of Cambodians confident in exercising their rights, [according to an NGO report](#). The research, conducted over a year beginning in April 2017 by the Cambodian Center for Human Rights, Adhoc and the Solidarity Center, identified 391 cases of restrictions or violations of the right to free expression, assembly or association. The report was intended to provide an “empirical and evidence-based assessment of the state of fundamental freedoms in Cambodia” to be used as a tool for civil society and the government to improve the situation in the future, Ms. Sopheap, who participated in the writing of the report, said. But Council of Ministers spokesman Phay Siphon said the research was merely a manipulation of facts and figures, rather than something to guide Cambodia forward.

Cambodia’s laws on freedom of expression are routinely misapplied, says report (August 2017)

In spite of a generally good legal framework, Cambodians face systematic restrictions on their fundamental freedoms, according to a new joint report released by rights organisations. [The first annual report of the Fundamental Freedoms Monitoring Project](#) by the Cambodian Center for Human Rights (CCHR), Adhoc, and the Solidarity Center examined freedom of association, assembly and expression across Cambodia, and found hundreds of restrictions or violations of fundamental freedoms over the past year. The authors logged 391 individual cases of restrictions or violations of fundamental rights, as well as 60 reports of association meetings, trainings or celebrations being interrupted by the police “without a legal basis”. Additionally, they found 590 incidents reported in the media in which the Cambodian government’s “actions or words” had an impact on fundamental freedom. They also found that some elements of the legal framework “unjustifiably restrict[ed] the freedom of expression” – for instance the NGO Law clause requiring all organisations to “maintain their neutrality”.

Cambodia Passes Changes to Political Parties Law Targeting Former Opposition Leader (July 2017)

Parliament has passed more amendments to the law to block political parties from making use of campaign material produced by convicted criminals. The former opposition president, Sam Rainsy, though not named during the debate around the changes, is thought to be the target of the amendments. Rainsy is living in self-imposed exile after years-old criminal defamation conviction was revived in 2015. He is also facing fresh defamation charges and could face at least two years in prison if he returns to Cambodia. The political parties law was passed in 1997 but amended in February ahead of local elections to ban convicted criminals from leading political parties. The move led to Rainsy’s resignation as president over fears his Cambodia National Rescue Party (CNRP) could be dissolved if he remained in the position. Under the new rules, the CNRP would not be able to use audio, visual or written material produced by Rainsy and could not be seen to “affiliate” with Rainsy. Breaking the rules could lead to the party’s dissolution.

‘Adhoc 5’ released on bail in case widely seen as political (June 2017)

In a surprise move, four human rights workers and an election official, collectively known as the “Adhoc 5”, were released from pretrial detention yesterday evening, 427 days after they were taken into custody on bribery charges relating to an opposition sex scandal. Adhoc staffers Lim Mony, Nay Vanda, Yi Soksan and Ny Sokha, and former staffer and the National Election Committee Deputy Secretary-General Ny Chakrya were granted bail yesterday by the investigating judge, Theam Chanpiseth, under Article 276 of the Criminal Code. The five have been languishing behind bars since April 2016, when they were detained for allegedly bribing CNRP President Kem Sokha’s alleged mistress, Khom Chandaraty, to deny a purported extramarital affair. The case has been widely criticised as politically motivated, and the five have strenuously denied the allegations. A closing order has been issued and the case will now proceed to trial, though a date has not been set. Until then, the five will be free on bail on three conditions, according to Court Administrator Y Rin.

Ministry Kicks Off Situation Room Investigation (June 2017)

The Interior Ministry called members of the Situation Room “lawbreakers” and said authorities were investigating them, refuting claims by the group of NGOs that they had done nothing illegal by temporarily gathering to monitor the June 4 commune elections. “Those people acted against the law,” ministry spokesman Khieu Sopheak said. Prime Minister Hun Sen ordered an investigation into the group on Wednesday for failing to register with the ministry, as required of associations and NGOs operating in Cambodia, and accused it of being a staging ground for a “color revolution.”

Ministry Puts NGOs Under Watch (June 2017)

Several NGOs and their employees, including the leaders of human rights NGOs Licadho and Adhoc, are under watch by the Interior Ministry for allegedly aiding the opposition party, the CNRP, and will face legal action if the allegations prove true. Interior Ministry spokesman Khieu Sopheak said it had not yet put any NGOs on the blacklist—referring to a list the government uses to initiate formal investigations—but “we will take action if we find those organizations are working to serve the opposition party.” “We will not take action at this time because the activities of those organizations are not so serious,” he added. “But we will take action immediately if the activities of those people affect the national interest.” NGOs in Cambodia have been treading carefully since the passage last year of the new law, which critics said gave the government sweeping powers to revoke the registration of organizations found to have threatened political stability or be operating with a political bias.

Use anniversary of rights defenders’ arrest to “FreeThe5KH” (May 2017)

The Cambodian government should immediately release five human rights defenders who have spent a year in prison on politically motivated charges, Human Rights Watch said. The four current and one former member of the Cambodian Human Rights and Development Association (ADHOC) were placed in custody on April 28, 2016, and later falsely charged with “bribery of a witness.” On April 26, 2017, the detainees, listed as “FreeThe5KH” (Free the Khmer Five), were named as a finalist for the prestigious Martin Ennals Award for Human Rights Defenders. The award will be presented on October 10 in Geneva. Human Rights Watch urged Cambodia’s donor governments and the wider public to participate in the #FreeThe5KH campaign at <https://freethe5kh.net/>.

Prime Minister Vows to ‘Eliminate’ Opponents Who Protes (September 2016)

Prime Minister Hun Sen on Monday said he would “eliminate” opponents who dare to protest against his government during a speech in which he also declared that he personally ordered the military to deploy around the Cambodia National Rescue Party headquarters.

Boeung Kak activists found guilty (September 2016)

Four Boeung Kak lake activists were convicted and sentenced to six months in jail for their roles in a 2011 scuffle with security personnel outside City Hall, a ruling defence attorneys insisted was accompanied by a glaring lack of evidence. On the day in question, the activists had been attempting to submit a petition to City Hall requesting the establishment of a committee to address their long-running land dispute when they were confronted by security guards.

UN rights experts condemn killing of Cambodian political analyst and activist Kem Ley (July 2016)

A group of United Nations human rights experts— Mr. Michel Forst, Special Rapporteur on the situation of human rights defenders; Ms. Rhona Smith, Special Rapporteur on Cambodia; Mr. David Kaye, Special Rapporteur on freedom of opinion and expression; Mr. Maina Kiai, Special Rapporteur on the rights to freedom of peaceful assembly and of association; and Mr. Christof Heyns, Special Rapporteur on summary or arbitrary executions—condemned the murder of Cambodian political analyst and social activist Kem Ley, known for his struggle for justice and human rights in Cambodia.

Weekly check-in rejected by NGOs in Oddar Meanchey (July 2016)

An annual reporting requirement under the contentious Law on Associations and NGOs, or LANGO, is being intentionally misinterpreted by local police, according to a group of NGOs in Oddar Meanchey province. At least 15 NGOs and associations have snubbed a request from provincial police to file weekly “activity reports” about their work, pointing out that the 2015 NGO Law only requires annual reporting.

Human rights defenders detained and charged (May 2016)

According to Front Line Defenders, “On 2 May 2016, six human rights defenders from the Cambodian Human Rights and Development Association (ADHOC), the National Election Committee (NEC) and the United Nation’s Office of the High Commissioner for Human Rights (UNOHCHR) in Cambodia, were officially charged. Four human rights defenders were charged with bribery of a witness and two were charged with being accomplices to the bribery of a witness... Front Line Defenders strongly condemns the charges against [the human rights defenders]...which it believes to be directly linked to their peaceful and legitimate work in defence of human rights in Cambodia, and their assistance to an alleged victim of human rights abuse in a politically-sensitive case at a time of upcoming local and national elections.”

Cambodia passes disputed trade union law as tension flares (April 2016)

Cambodia’s parliament approved a disputed trade union law on Monday without making changes demanded by labor groups and the opposition, who decried it as too strict and designed to limit workers’ rights.

Licadho criticizes Telecommunications Law (March 2016)

Human rights organization Licadho yesterday released a legal analysis of the new Telecommunications Law, saying the law grants the government broad powers to monitor phone, email and text message communications between people without their knowledge or consent and could restrict political freedom in Cambodia.

Student gets 18 months for call for ‘color revolution’ (March 2016)

A university student who called for a “color revolution” in a Facebook post last year was on Tuesday sentenced to 18 months in prison by the Phnom Penh Municipal Court, a decision that critics immediately labeled an attempt to muzzle freedom of expression.

Meeting with ministry sought to talk LANGO amendments (January 2016)

Ministry of Interior officials say they will meet to discuss the internationally condemned Law on Associations and Non-governmental Organisations (LANGO) with representatives of the Cooperation Committee for Cambodia (CCC), though the Ministry has not specified a date.

News Archive

Cambodia police break up 8,000 strong garment protest (December 2015)

Minister Insists Community-Based Groups Are Exempt From NGO Law (September 2015)

King Signs Law on NGOs (August 2015)

Cambodia Senate OKs Controversial NGO Laws (July 2015)

Cambodia’s Senate passed a controversial law to regulate the country’s nonprofit sector as hundreds

of people protested. Opponents say the law marks a deliberate effort by the government to clamp down on groups that have been criticizing the ruling party on an array of issues, from politics to land-grabbing to corruption.

King Sihamoni Approves Two New Election Laws (March 2015)

NGO Slam Cambodia's Electoral Reform Deal' (March 2015)

'Controversial Cybercrime Law 'Scrapped' (December 2014)

'Cyber War Team' to Monitor Web (November 2014)

Lawmakers Call for Talks Over Lor Peang Land (October 2014)

Cambodian Authorities Drafting New Laws to Curtail Freedom (October 2014)

About 40 Injured at Cambodia Opposition Protest (July 2014)

Old problems persist in new NGO draft law (May 2014)

Bans Violate Election Law Right to Campaign, Comfrel Says (May 2014)

"Participation, transparency and accountability are key in law-making" (April 2014)

United Nations Envoy Visits After Protest Deaths (February 2014)

Cambodia Steps Up Crackdown on Dissent With Ban on Assembly (January 2014)

Three dead in Cambodia as police fire on protesters (January 2014)

Government Pushes Ahead With NGO Law (December 2013)

Cambodian Officials Ask Opposition to Downsize Election Protest Rally (September 2013)

Resistance and Solidarity: Cambodian CSOs confront a repressive draft law on associations and NGOs (May 2013)

Human Rights Group Shortlists Sonando for Award (January 2013)

Call for Cambodia to respect freedom of assembly ahead of ASEAN Summit (November 2012)

Obama should publicly denounce rights abuses (November 2012)

UN labour agency names five countries where 'serious and urgent' labour-rights cases need attention (November 2012)

Cambodian NGO workers, villagers face intimidation (November 2012)

Cambodia disrupting civil society events and restricting freedom of assembly ahead of ASEAN Summit (November 2012)

Cancel convictions of critics and protesters (October 2012)

"A Robust Civil Society is Necessary for Cambodia's Advancement" (September 2012)

NGOs push donors on rights (September 2012)

Activists detained on dubious charges (September 2012)

Radio station owner and NGO leader is prisoner of conscience (July 2012)

U.S. Secretary of State Clinton prods Cambodia on jailed protestors (June 2012)

Cambodian government sparks outrage by picking NGO representatives for ASEAN Summit(March 2012)

Cambodian draft law on NGOs may breach international pact, UN rights expert warns (October 2011)

Cambodia's draft law on NGOs deserves further review – UN expert (September 2011)

Cambodian Minister's letter proposes crackdown on NGOs (September 2011)

Groups urge UN to mull funding Cambodia NGO law (September 2011)

International experts add to worries on NGO law (August 2011)

Silencing Cambodia's honest brokers (August 2011)

Civic groups warned to 'readjust' their work (August 2011)

Cambodia suspends German-funded NGO that lobbies for urban poor (August 2011)

'Worrisome' NGO law moves to council for approval (August 2011)

Cambodian rights group urges defeat of proposed NGO regulations (August 2011)

NGOs in final bid to change controversial draft law (June 2011)

Cambodia lags on land, freedom of speech rights, says UN official (June 2011)

Draft of NGO law withheld (June 2011)

Western donors must stand up to Cambodia's government (May 2011)

Government Plans to Tighten Noose Around Civil Society (April 2011)

Evictions, NGO Law High Among Donor Concerns (April 2011)

Groups Unite To Push Changes to NGO Law (April 2011)

NGOs condemn new Cambodia law (April 2011)

Donors Asked to Withhold Aid Over Proposed Law in Cambodia (April 2011)

Government Officials Defend Need for NGO Law (March 2011)

Criticism is not a crime, UN tells Cambodia (February 2011)

Opposition Party Wary of Revamped NGO Law (February 2011)

Cambodia/Thailand: Border dispute displaces up to 30,000 (February 2011)

Ministry Accepts Many NGO Changes to Draft Law (January 2011)

Conviction of Sam Chankea is an attack on freedom of expression, says Article 19 (January 2011)

While we aim to maintain information that is as current as possible, we realize that situations can rapidly change. If you are aware of any additional information or inaccuracies on this page, please keep us informed; write to ICNL at ngomonitor@icnl.org.

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