



CIVIL SOCIETY IN CAMBODIA EXISTING UNDER A SHADOW

A POLICY ACTION BRIEF

CIVICUS

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CIVICUS POLICY BRIEF: CIVIL SOCIETY IN CAMBODIA

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CIVICUS: WORLD ALLIANCE FOR CITIZEN PARTICIPATION

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1. BACKGROUND

After the fall of the Khmer Rouge in 1979 and the end of the civil war in 1991, the signing of the Paris Peace Accords marked the official end to decades of unrest in Cambodia. During the Cambodian genocide of 1975-1979 approximately 1.7 million people lost their lives (21% of the country's population). Following one of the worst human tragedies of the 20th century, a new Cambodian Constitution was passed in 1993, and amended in 1999, to create a democratic state respectful of universal human rights norms.

Yet, Cambodia's democratic record has been marred by repeated setbacks including claims of electoral rigging, wide spread impunity for those responsible for the genocide and regular violations of core civil society freedoms of expression, association and peaceful assembly.¹ The current Cambodian People's Party (CPP) government led by Prime Minister Hun Sen, has a long track record of silencing critical civil society voices using a combination of legal and extra-legal measures. Intimidation and harassment of civil society members remains rife with reports of death threats, violence and enforced disappearance of dissenters. While 2012 was dubbed the "worst year for human rights in Cambodia in over a decade"², the conditions for civil society have deteriorated at an accelerated pace following the contested general elections of July 2013, which secured the re-election of the ruling party and Prime Minister Hun Sen who has been in-charge of Cambodia since 1985.

According to the opposition and independent electoral observers, the elections were marred by serious procedural irregularities.³ Since the elections, Cambodia's main opposition party, the Cambodia National Rescue Party (CNRP) led by Sam Rainsy, has continued to boycott its 55 seats in the National Assembly in protest against electoral fraud leading to a political deadlock. Civil society groups have voiced their concern about the manipulation of democracy in Cambodia and have been at the forefront of many of the nationwide protests taking place since July 2013. Other protests have also been taking place in Cambodia to highlight workers' rights⁴, forced evictions and land grabbing by big businesses.

Despite experiencing strong economic growth over the past two decades,⁵ Cambodia faces huge civil, political and social challenges. One-fifth of the population is still living under the poverty line,⁶ corruption is widespread,⁷ and key institutions – such as the judiciary, the military and the royal family – are dominated by and manipulated by the ruling party.

2. ATTEMPTS TO LIMIT CIVIC SPACE THROUGH RESTRICTIVE LEGISLATION

Although the freedoms of expression, association and assembly are guaranteed by the Cambodian Constitution and through Cambodia's accession to the International Covenant on Civil and Political Rights in 1992, in practice these rights have been steadily undermined by a combination of recent legal measures and initiatives by the government. Civil society continues to voice concern at the lack of discussion on policy between the government and civil society organisations (CSOs).

Freedom of association in Cambodia remains threatened by the possible adoption of a restrictive Law on Associations and Nongovernmental Organisations (LANGO). Although international and national pressure in 2011 did persuade the government to withdraw a previous draft of the proposed law, recent statements by government officials indicate that the law may soon become a reality and could be voted on as early as July 2014.⁸ The text of the draft NGO Law circulated

1 CIVICUS (24 June 2013). *Submission to the UN Periodic Review. 18th Session of the UPR Working Group*. The UPR Submission on Cambodia documents the violations of the core civil society freedoms of expression, association and peaceful assembly. Accessed on 25 March 2014 via http://civicus.org/images/CIVICUS_UPR_Submission_Cambodia_2013.pdf

2 Naly Pilorge in CIVICUS (24 August 2012). *Cambodia: CIVICUS calls for unconditional release of detained activists*. Press release. Accessed on 25 March 2014 via <http://www.civicus.org/media-centre-129/press-releases/1030-cambodia-civicus-calls-for-unconditional-release-of-detained-activists>

3 Cambodia Daily (2 December 2013). *Report Shows Election Irregularities Favored CPP*. Accessed on 19 March 2014 via <http://www.cambodiadaily.com/archives/report-shows-election-irregularities-favored-cpp-48237/>

4 Labourers have demanded an increase in the minimum wage in the sector amounting to 160 USD per month in order to meet basic needs, in the face of rising prices of food and fuel. The decision of the Labour Advisory Council (LAC) – which consists of government, trade unions and labour representatives - on 24 December 2013 to raise the wage from 80 USD to 95 USD was the trigger that unleashed a wave of protests and national strikes. Six major labour unions rejected the LAC plan. The opposition party has backed the demands and protests of the garment workers, as well as other labour groups and land activists such as the Boeung Kak Community land activists.

5 According to the World Bank, Cambodia's economy has grown at a rate of more than 8 per cent per year between 2004 and 2012. See <http://www.worldbank.org/en/country/cambodia/overview>. The Asian Development Bank forecasts a growth of 7.5% in GDP in 2014. Accessed on 25 March 2014 via <http://www.adb.org/countries/cambodia/economy>

6 UNDP Cambodia website. Accessed on 25 March 2014 via http://www.kh.undp.org/content/cambodia/en/home/ourwork/povertyreduction/in_depth/

7 Cambodia is ranked 160 out of 175 countries in the Transparency International 2013 Corruption Perception Index. Accessed on 4 May 2014 via <http://cpi.transparency.org/cpi2013/results/>

8 Reportedly the draft NGO Law was sent to and approved by the Council of Ministers in January 2014.

in 2011 would force all civil society organisations to register and give government officials broad discretionary powers to oversee and control the registration and operation of CSOs.⁹ This could seriously impact the independence of the civil society sector in Cambodia and the ability of advocacy groups to criticise the government.

Further, in May 2012, the government announced it would be introducing its first cyber law to regulate the freedom of expression on the internet and social media. According to government officials, the proposed law is designed to prevent “ill-willed groups or individuals” from spreading false information.¹⁰ Like the latest draft of the pending NGO Law, the draft Cyber Law has not been made publicly available. Both draft laws are shrouded in secrecy, with a lack of meaningful consultation. Civil society remains deeply anxious about the impact of the proposed legislation on citizens’ ability to express themselves freely.

The above measures are part of a larger trend towards an increasingly disabling environment for civil society and citizen participation in Cambodia. A recent study by the Cooperation Committee for Cambodia (CCC) on the enabling environment for civil society in the country has found that the main challenges to the current legal, regulatory and policy environment are related to issues of interpretation, implementation and application of law, as well as distrust and misunderstanding between civil society and the government.¹¹ The study considers that the absence of a strong and independent judiciary is undermining the respect for the rule of law and further restricting civil society in its work to secure fundamental rights and freedoms for Cambodia’s people.

Conversely, civil society is concerned by the government’s failure to adopt a much needed law on freedom of information, especially in the face of the rampant corruption and land grabbing by powerful business tycoons that are part of, or have close relations, with the ruling elite.

3. CONTROLLING DISSENT AND SILENCING CRITICS

In the last five years, the use of the legislature and the judiciary by government to curtail civil society’s capacity to diffuse information and express critical opinion has surged.

In 2010, the Penal Code was revised to extend the scope of defamation beyond natural persons and to criminalise comments that are seen to undermine the honour or reputation of public institutions. Along with defamation, the Penal Code now criminalises public insult, incitement and malicious denunciation applying hefty monetary penalties to all.¹² With the application of these overbroad provisions, media publishers and editors have been prohibited from disseminating stories that insult or defame government leaders and institutions. Cambodia’s government has a record of using these provisions to imprison journalists, particularly those allied with the political opposition.

In practice, laws and regulations are being instrumentalised to silence critical opponents and avoid unflattering revelations especially those pertaining to politically sensitive issues such as land rights. A case in point is the judicial harassment of Mam Sonando, founder and owner of Beehive Radio, who has been arrested three times for reporting on information considered too critical of the government. In 2012, Prime Minister Hun Sen called for Sonando’s arrest on national television after Sonando reported on a complaint to the International Criminal Court (ICC) which accused the Cambodian Government of displacing thousands of people from their land through forced evictions. Subsequently he was sentenced to 20 years in prison on charges of leading a secessionist plot. In March 2013, he was released from prison after his conviction was commuted to a five year suspended sentence on the new charge of illegal logging.¹³

In the run-up to the July 2013 elections, Cambodia’s government issued new regulations to further silence critical voices. In January 2013, the Ministry of Interior stipulated that radio and television stations can only interview legal commentators assigned by the Bar Association of the Kingdom of Cambodia, an institution said to have close links with the ruling CPP.¹⁴ In June 2013, just weeks before the national election, the Ministry of Information issued a

The Phnom Penh Post (22 April 2014). *Old problems persist in new NGO draft Law*. Accessed on 30 May 2014 via <http://www.phnompenhpost.com/national/old-problems-persist-new-ngo-draft-law>

9 For an analysis of the fourth draft of the LANGO, see ICNL (13 December 2011). *Comments on the Fourth Draft Law on Associations and Non-Governmental Organisations of the Kingdom of Cambodia*. Accessed on 20 March 2014 via <http://dev01.icnl.org/news/2011/12-Dec-2.pdf>

10 The Phnom Penh Post (24 May 2014). *The ‘ill-willed’ spark cyber law: officials*. Accessed on 20 March 2014 via <http://www.phnompenhpost.com/national/%E2%80%98ill-willed%E2%80%99-spark-cyber-law-officials>

11 Cooperation Committee for Cambodia (2014). *Assessment of the Enabling Environment for Civil Society. Country Report: Cambodia*. The Enabling Environment National Assessments are part of the Civic Space Initiative, implemented in partnership with CIVICUS, World Alliance for Citizen Participation, International Center for Not-for-Profit Law, Article 19 and World Movement for Democracy. Accessed on 30 May 2014 via <http://www.ccc-cambodia.org/downloads/publication/EENA%20report%20-%20FINAL-CCC-CIVICUS.pdf>

12 Article 502 criminalises actions of individuals that undermine the dignity of public officials acting on behalf of their office, while Article 532 criminalises criticism of judicial decisions related to “disturbing public order” and “endangering an institution”.

13 CIVICUS, *Civil Society Behind Bars: Mam Sonando*. Accessed on 30 May 2014 via <http://civicus.org/index.php/en/what-we-do-126/csw-project/civil-society-behind-bars/63-uncategorised/1301-take-action-mam-sonando>

14 Radio Free Asia (8 February 2013). *New Controls for Law Commentators*. Accessed on 20 March 2014 via <http://www.rfa.org/english/news/cambodia/media-02082013174924.html>

directive ordering all FM stations to cease broadcasting Khmer-language programmes from foreign broadcasters, thus targeting Voice of America, Radio Free Asia and Radio Australia.¹⁵ The ban was later lifted following public outcry and international criticism.

Individual journalists are often intimidated and harassed, especially when they report on politically sensitive issues such as environmental degradation or illegal logging or fishing. Hang Serei Oudum, a reporter for the local newspaper Virakchun Khmer Daily, was found murdered in September 2012 in Ratanakiri Province.¹⁶ He had reported on the involvement of government and military officers in illegal logging prior to his death. Two suspects were acquitted during a trial riddled with numerous procedural shortcomings including critical evidence being disregarded in the preliminary investigation.

More recently, on 31 January 2014, Cambodian journalist Suon Chan was beaten to death by a gang wielding sticks and stones.¹⁷ It is believed that the attack was carried out in retaliation for his work for the Meakea Kampuchea newspaper on illegal fishing in the Kampong Chhnang province. It is no surprise that Cambodia is listed among countries where authoritarianism and censorship are on the rise in the recently published 2013 Press Freedom Index.¹⁸

4. EXCESSIVE USE OF FORCE AND ARBITRARY ARRESTS OF ACTIVISTS AND PROTESTERS

Use of excessive force in dealing with protesters, resulting in deaths and injuries, remains a major concern in Cambodia. While it is certainly not a new trend, police brutality and impunity have become more pronounced following the wave of protests engulfing the country since the contested 2013 elections.

On 3 January 2014, police opened fire with live ammunition on protesters demanding a raise in the minimum wage at a garment factory, killing five and wounding nearly 40 persons. This followed a violent crackdown on a protest in another garment factory a day earlier where the security forces had used electric batons to intimidate the protesters.¹⁹ A total of 23 protesters were arrested on charges of “intentional violence” and “property destruction”.²⁰ The government then issued a blanket ban on public gatherings in contravention of constitutional and international law provisions. All protests and public assemblies were banned “until security and public order has been restored”.²¹ The ban was only lifted on 25 February 2014 after national and international outcry, including public defiance and a three-day unofficial visit by Maina Kiai, the UN Special Rapporteur on the Freedom of Peaceful Assembly and Association. Since the lifting of the ban however, municipal authorities have continued to refuse permission for demonstrations. In some cases, where demonstrations have been held, security forces have attempted to break them up.

In other instances, detention of protesters and activists on trumped-up charges are being used as a tactic to deter people from expressing dissent. Three defendants were found guilty of intentional violence with aggravating circumstances towards police on 15 September 2013 although their defence team averred that they were not even present during the clashes.²² On 12 November 2013, a group of approximately 600 garment workers attempted to march from their factory in the Meanchey district to Prime Minister Hun Sen’s residence in Phnom Penh. During ensuing violence between protesters and security forces, a 49-year-old bystander Eng Sokhom, was shot by police and died.²³

The Cambodian League for the Promotion and Defence of Human Rights (LICADHO), a Cambodian human rights organisation, has been monitoring cases of excessive use of violence by police and military personnel resulting in casualties.²⁴ Between January 2012 and November 2013 they registered 10 fatal shootings and eight separate incidents of non-fatal shootings at the hands of police and security forces. In nine of the ten fatalities there has been no independent investigation or prosecution.²⁵

15 Radio Free Asia (28 June 2013). *Cambodian Radio Bans Airing of Foreign Radio Programmes*. Accessed on 20 March 2014 via <http://www.rfa.org/english/news/cambodia/radio-06282013140700.html>

16 Radio Free Asia (12 September 2012). *Journalist Found Murdered*. Accessed on 30 May 2014 via <http://www.rfa.org/english/news/cambodia/journalist-09122012130944.html>

17 The Phnom Penh Post (3 February 2014). *Journalist beaten to death in K Chhnang*. Accessed on 2 June 2014 via <http://www.phnompenhpost.com/national/journalist-beaten-death-k-chhnang>

18 Cambodia has dropped 26 places to the 143th place in 2013, its lowest position on the Press Freedom Index yet. Reporters Without Borders (2014). *Press Freedom Index 2013* via http://en.rsf.org/press-freedom-index-2013_1054.html

19 Radio Free Asia (3 January 2014). *Four Shot Dead as Cambodian Police Open Fire on Worker’s Protests*. Accessed on 25 March 2014 via <http://www.rfa.org/english/news/cambodia/shooting-01032014110118.html>

20 The 23 protesters were found guilty by the Phnom Penh Municipal Court, but their sentences, ranging from one to four years and a half, were suspended. They were released on 29 May 2014. The Phnom Penh Post (30 May 2014), *The ‘23’ found guilty, released*. Accessed on 30 May 2014 via <http://www.phnompenhpost.com/national/23-found-guilty-released>

21 New York Times (4 January 2014). *Cambodia Cracks Down on Protest with Evictions and Ban on Assembly*. Accessed on 20 March 2014 via <http://www.nytimes.com/2014/01/05/world/asia/cambodia.html>

22 Cambodia Daily (1 March 2014), *Three convicted over clash with police on Monivong bridge*, Accessed on 5 April 2014 via <http://www.cambodiadaily.com/news/three-convicted-over-clash-with-police-on-monivong-bridge-53388/>

23 CCHR Case Study Series, Special Edition – Excessive Use of Force at Workers’ Protest – November 2013, Accessed on 5 April 2014 via [http://www.cchrcambodia.org/admin/media/factsheet/factsheet/english/2013_11_29_CCHR_Case_Study_Fact_Sheet_SL_Garment_Workers_Protest%20\(ENG\).pdf](http://www.cchrcambodia.org/admin/media/factsheet/factsheet/english/2013_11_29_CCHR_Case_Study_Fact_Sheet_SL_Garment_Workers_Protest%20(ENG).pdf)

24 Not all of them related to incidents during peaceful demonstration and protests.

5 25 LICADHO (23 November 2013), *Statement: On the International Day to End Impunity, LICADHO Published Data on 10 Fatal Shootings by the Cambodi-*

5. OFFICIAL CORRUPTION AND IMPUNITY

Over the last few years, problems of corruption and impunity in Cambodia have reached a new low. The International Labour Organization estimates that corruption drains off about 10% of the country's GDP, or \$1.7 billion a year.²⁶ In Transparency International's 2013 Corruption Perception Index, Cambodia ranked 160th in the world out of 175 countries, with an exceptionally high level of perceived public sector corruption.²⁷

In November 2013, the Global Fund to Fight AIDS, Tuberculosis and Malaria published a report exposing how Cambodian government officials solicited nearly half a million US dollars in bribes. The government's anti-corruption unit decided not to file any charges against those responsible within the CPP, stating that it had insufficient evidence.²⁸

Many in civil society believe that Cambodia's Anti-Corruption Law²⁹ requires serious redrafting as it provides no substantive protection to whistle-blowers. Individuals providing information leading to 'useless inquiry' are instead warned off with the threat of a prison sentence and a fine.

6. LAND RIGHTS – A TALE OF CORRUPTION AND DISPOSSESSION

Land rights are a contentious issue in Cambodia. Over the past decade, thousands of people have been forcefully evicted from their homes, while others have been victims of land grabbing by big businesses. Since 2003, it is believed that at least 400,000 persons have been affected by land disputes.³⁰

During the regime of the Khmer Rouge, private property was disallowed and most land titles were lost or destroyed. As a result, many people were displaced from their land. The demand for land – mainly for agro-industry but also for private property development, mining, forestry and major infrastructure development such as hydropower dams – has soared over the past two decades due to the rapid economic growth in Cambodia.

According to rights group ADHOC (Cambodian Human Rights and Development Association), by the end of 2012, the Cambodian government had granted or reserved at least 2,657,470 hectares of land for private companies under the Economic Land Concessions (ELC) scheme. Many grants were made despite allegations of serious breaches of legal requirements or lack of appropriate frameworks.³¹ The granting of ELCs to domestic and foreign private enterprises has continued to accelerate despite concerns about transparency and benefits accruing to those linked to the ruling CPP.³²

Although, a new Directive was announced in May 2012 stipulating a moratorium on the granting of ELCs, a review of the existing land concessions, and a land titling programme for people living near land concessions, many regard these measures as lacking transparency, accountability and thereby open to abuse.³³ In a special report to the UN Human Rights Council, the UN Special Rapporteur for Human Rights in Cambodia, Surya P. Subedi has identified lack of transparency, along with uneven access to information and adherence to the existing framework as the main challenges surrounding land rights and land disputes. The report further states that *"the overwhelming conclusion drawn from petitions, letters, studies, peaceful protests, violent demonstrations, legal complaints, land dispute statistics and my own direct observations is that land concessions is only benefitting a minority. The current climate of investment in Cambodia is characterized by a lack of transparency, whereby there is no complete official list of land concessions and business enterprises' operations and impact assessments are either not undertaken, not publicly available or undertaken after a concession has been granted or a company has already started operations."*³⁴ Many protests occurring over the past few years have revolved around land and housing rights issues. The authorities have in some cases responded with

an Police and Military. Accessed on 19 March 2014 via <http://www.licadho-cambodia.org/pressrelease.php?perm=329>

26 Voice of America (9 April 2014), Report calculates major drain of corruption, Accessed on 7 April 2014 via http://www.voacambodia.com/content/report-calculates-major-drain-of-corruption/1869773.html?_ga=1.218493392.819793522.1396977701

27 Transparency International, Corruption Perceptions Index 2013, Accessed on 19 March 2014 via <http://www.transparency.org/cpi2013/results>

28 Quartz (25 March 2014), *Justice delayed: Cambodia's corruption is so pervasive, even slam-dunk cases get buried*, Adam Pasick, Accessed on 19 March 2014 via <http://qz.com/191778/cambodias-corruption-is-so-pervasive-even-slam-dunk-cases-get-buried/>

29 The Anti-Corruption Law was approved by the National Assembly on 11 March 2010. The Law can be found here: <http://track.unodc.org/LegalLibrary/pages/LegalResources.aspx?country=Cambodia>

30 LICADHO. *The Great Cambodian Giveaway: Visualising Land Concessions over Time*. Interactive map accessed on 19 March 2014 via http://www.licadho-cambodia.org/concession_timelapse/

31 ADHOC (February 2013). *A turning point? Land, Housing and Natural Resources Rights in Cambodia in 2012*, p. 1. Accessed on 19 March 2014 via <http://www.adhoc-cambodia.org/wp-content/uploads/2013/02/ADHOC-A-Turning-Point-Land-Housing-and-Natural-Resources-Rights-in-2012.pdf>

32 LICADHO. *The Great Cambodian Giveaway: Visualising Land Concessions over Time*. Interactive map accessed on 19 March 2014 via http://www.licadho-cambodia.org/concession_timelapse/

33 On the land titling programme: Human Right Watch (12 June 2013). *Cambodia Land Titling Campaign Open to Abuse*. Accessed on 25 March via <http://www.hrw.org/news/2013/06/12/cambodia-land-titling-campaign-open-abuse>; on the moratorium of ELC's: see ADHOC: *A turning point? Land, Housing and Natural Resources Rights in Cambodia in 2012*. Accessed on 24 March 2014 via <http://www.adhoc-cambodia.org/wp-content/uploads/2013/02/ADHOC-A-Turning-Point-Land-Housing-and-Natural-Resources-Rights-in-2012.pdf>

34 A/HRC/ 21/63/ Add. 1. Report of the Special Rapporteur on the situation of human rights in Cambodia, Surya P. Subedi (24 September 2012). *A human rights analysis of the economic and other land concessions in Cambodia*, p. 48. Accessed on 24 March 2014 via http://www.ohchr.org/Documents/HR-Bodies/HRCouncil/RegularSession/Session21/A-HRC-21-63-Add1_en.pdf

brutal force and violence in the forced eviction of communities. In 2012, a 14-year old girl was shot dead by security forces during a forced eviction in Prama village in Kratie Province, while another two were injured and five people arrested after police and military officers opened fire with heavy automatic weapons.³⁵ In 2012, a total of 232 people were arrested in relation to land and housing rights.³⁶

CASE STUDY: The Boeung Kak Lake dispute

In February 2007, the Municipality of Cambodia's capital, Phnom Penh entered into a 99-year lease agreement with a private contractor – Shukaku Inc – for 133 hectares of land covering most of the Boeung Kak Lake community grounds. The private contractor is owned by a Senator of the ruling Cambodia People's Party (CPP).³⁷ The development has led to the eviction of 4000 families who lived legally on the land, without meaningful consultation with the inhabitants nor adequate compensation to obtain comparable housing. The residents of Boeung Kak continue to resist their eviction, which has resulted in police brutality, frequent arrests, judicial persecution and other forms of intimidation against community members.

7. CONCLUSION

As the above sections of this report show, the situation in Cambodia is fast spiralling out of control. There is widespread public dissatisfaction with the state of governance in the country which has been made worse by use of excessive force and brutal attacks on demonstrators by security forces. The country's vibrant civil society remains in a state of constant fear from reprisals for speaking out against government policies. The recent spate of physical attacks and judicial persecution of activists and the failure of government departments to consult with civil society on policy decisions are contributing to poor state-civil society relations. Additionally, the state has engendered a culture of secrecy by withholding proposed legislation, which restrict civil society freedoms, from public scrutiny.

The rising collusion between government officials and big businesses including construction firms and agricultural companies to dispossess local communities of their land and livelihoods remains a highly contentious issue. If unaddressed, this is likely to contribute to further political instability in the country. Civil society in Cambodia remains deeply sceptical of Prime Minister Hun Sen's government which is increasingly viewed as being authoritarian and corrupt.

In such a situation, there is a need for a concerted dialogue in the country on various aspects of state policy including repressive legislation, election fraud, transparency and accountability in the public sphere, economic policies, and indeed the role of civil society in national life.

CIVICUS makes the following recommendations to the Government of Cambodia

On Proposed Legislation

- The draft Law on Associations and NGOs sent to the Council of Ministers in early February 2014 should be made publicly available, along with the draft Cyber Law and any proposed new laws on Trade Unions and Access to Information. Cambodian civil society organisations should be permitted to review and comment on these laws.
- Civil society and interest groups should be included in consultations on all proposed legislation affecting fundamental freedoms and their comments integrated into future drafts.

On Protection of Civic Space

- Detentions of, and threats against land rights activists, civil society organisers and journalists should be publicly condemned by senior government officials.

³⁵ The Phnom Penh Post (17 May 2012). *Teenage girl gunned down by security forces in eviction*. Accessed on 24 March 2014 via <http://www.phnom-penhpost.com/national/teenage-girl-gunned-down-security-forces-eviction>

³⁶ ADHOC (February 2013). *A turning point? Land, Housing and Natural Resources Rights in Cambodia in 2012*. Accessed on 24 March 2014 via <http://www.adhoc-cambodia.org/wp-content/uploads/2013/02/ADHOC-A-Turning-Point-Land-Housing-and-Natural-Resources-Rights-in-2012.pdf>

³⁷ The Cambodia Daily (26 December 2008). *Shukaku Can Keep Filling Boeng Kak*. Accessed on 19 June 2014 via <http://www.cambodiadaily.com/archives/court-shukaku-can-keep-filling-boeng-kak-59619/>

- The rights of journalists and their work should be protected using the Press Law instead of systematically referring to the Penal Code.
- The Penal Code of Cambodia should be judicially interpreted in accordance with the Cambodian Constitution and Cambodia's obligations under international human rights law.
- The Demonstrations Law should be revised in accordance with international standards. In particular, provisions pertaining to the requirement to notify authorities about public protests and authorities' broad powers to impede protests should be reviewed.
- A standing invitation should be extended to all UN Special Procedures, in particular, the Special Rapporteur on Human Rights Defenders, the Special Rapporteur on Freedom of Expression, and the Special Rapporteur on Freedom of Peaceful Assembly and Association.
- All recommendations accepted by Cambodia during the adoption of its Universal Periodic Review in 2014 should be implemented forthwith.

On Transparency and Accountability of State Institutions

- New legislation should be enacted to ensure the independence and accountability of civil servants and law enforcement agencies.
- The ruling party's censorship and control over the media should cease. Democratic dissent should be permitted.
- Independent investigations into all incidents of the excessive use of violence, particularly those since the 2013 elections, should be implemented without delay, and those found guilty should be brought to justice.
- The Government of Cambodia should implement the recommendations made by the Special Procedures and the United Nations independent experts on the situation of human rights in Cambodia along with those recommendations handed down by the Universal Periodic Review Working Group on Cambodia at the United Nations Human Rights Council.

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