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**Campaign of Intimidation:  
Upsurge of Political Prisoners in Cambodia**

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**Campaign of Intimidation:  
Upsurge of Political Prisoners in Cambodia**

**by**

**Amara Chhin-Lawrence**

**Report**

Presented to the Faculty of the Graduate School of  
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## **Abstract**

### **Campaign of Intimidation: Upsurge of Political Prisoners in Cambodia**

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**Abstract:** This report focuses on the sudden increase of political prisoners in Cambodia starting July 2015 as it relates to the 2018 national election. The wave of political prisoners is seen as part of the deterioration of broader human rights conditions in Cambodia with regards to Freedom of Expression, Freedom of Assembly, Freedom of Association, and the right to fair trial and due process. By examining the Cambodian regime's historical behaviors with regards to human rights and its threat of losing power in the upcoming 2018 election, this report argues that the uptick of political prisoners is a means for the regime to specifically determine the outcome of the upcoming election. Content analysis of secondary academic, political and advocacy-based sources are used as evidence for claims to support this argument. In addition, this report offers policy recommendations addressed to the United Nations toward achieving reforms and the release of Cambodia's political prisoners.

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## Introduction

In 2013, Cambodia experienced intense protests as citizens contested the national election results of the closest and most threatening election to the Cambodian People's Party, the ruling regime's 27-year stronghold. Post-election demonstrators were met with governmental forces who disrupted unprecedented crowds with repeated violence, and authorities sought to silence dissenting voices with a surge of arrests and imprisonment.<sup>1</sup> To date, the Cambodian League for the Promotion and Defense of Human Rights (LICADHO) has investigated the cases of 27 political prisoners, including Members of Parliament of the opposition party, the Cambodia National Rescue Party (CNRP).<sup>2</sup> Human rights groups such as LICADHO, the Cambodian Center for Human Rights (CCHR), and the Cambodian Human Rights and Development Association (ADHOC) report countless additional prisoners of conscience, including grassroots leaders and workers, NGO leaders and staff, journalists, and monks.

Since the 2013 election, human rights violations in Cambodia have grown more deeply institutionalized with recent legal reforms that have further enabled the regime to outlaw the freedoms of expression and association, such as the Law on Associations and Non-Governmental Organizations (LANGO), promulgated in August of 2015.<sup>3</sup> This new wave of assaults on political prisoners compounds a preexisting system of human rights violations in Cambodia that stems from the UNTAC era.<sup>4</sup> This system persisted through

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<sup>1</sup> "Post-Election Violence in Cambodia a Setback for Democracy," Freedom House, accessed November 5, 2016, <https://freedomhouse.org/article/post-election-violence-cambodia-setback-democracy>.

<sup>2</sup> "Cambodia's Political Prisoners," LICADHO, accessed August 20, 2016, [http://www.licadho-cambodia.org/political\\_prisoners/](http://www.licadho-cambodia.org/political_prisoners/).

<sup>3</sup> "Human Rights Situation in Cambodia," *Cambodian Center for Human Rights*, accessed November 30, 2016, [http://www.cchrcambodia.org/index\\_old.php?url=our\\_work/our\\_work.php&id=3](http://www.cchrcambodia.org/index_old.php?url=our_work/our_work.php&id=3)

<sup>4</sup> Kheang Un, "Patronage Politics and Hybrid Democracy: Political Change in Cambodia 1993-2003," *Asian Perspective*, accessed November 13, 2003, <file:///C:/Users/bongm/Downloads/PR.Kheang%20Un%20article.pdf>, 205.

the 1997 coup in which the CPP regime assumed its power,<sup>5</sup> and intensified in 2013. Among the regime's most harmful practices is the impunity of those in power and a politicized judicial system that uses groundless arrests and dubious charges to further silence its dissenters. These measures prevent citizens from exercising freedom of expression, peaceful assembly and association, and prevent the political opposition from meaningful engagement in the political process that leading human rights agencies such as Human Rights Watch see as fundamental to Cambodia's development. <sup>6</sup>

Cambodia is distinct among the ASEAN member states in its tendency towards alliance with authoritarian regimes such as China<sup>7</sup> and North Korea.<sup>8</sup> Yet, a peaceful and truly democratic Cambodia is key to maintaining stability in the entire Southeast Asia region. If the international community does not do more to intervene, the ruling regime could maintain its grip in 2018 for another term of authoritarian rule. Cambodia would drift even farther from true progress.

Policy recommendations in this report will be addressed to the United Nations towards promoting legal reforms that help Cambodia meet international human rights standards and towards the release of political prisoners. These recommendations include provisions of technical support and training to strengthen its judiciary functions should the regime agree to cooperate.

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<sup>5</sup> Ibid, p. 207.

<sup>6</sup> "Cambodia: Escalating Violence, Misuse of Courts," *Human Rights Watch*, accessed November 13, 2016, <https://www.hrw.org/news/2013/02/01/cambodia-escalating-violence-misuse-courts>.

<sup>7</sup> Ibid.

<sup>8</sup> "Yang Hyong Sop Meets Hun Sen," North Korea Leadership Watch, accessed November 13, 2016, <https://nkleadershipwatch.wordpress.com/2012/10/21/yang-hyong-sop-meets-hun-sen/>.

## **Methodology**

This report is intended to raise awareness among the international community of the alarming rise of political prisoners in Cambodia, and furthermore, investigate the hypothesis that the increase in the number of Cambodian political prisoners is part of the ruling regime's deliberate attempt to maintain its grip of power in the 2018 election. In the analysis that follows, I first describe Cambodia's relevant history and illuminate current conditions that are causing the regime to feel that its power is at risk. This background situates my central argument, which claims that the regime is creating a climate of intimidation in order to affect the election outcome. Furthermore, I investigate the role that taking POC plays in this campaign of fear. In my conclusion, I urge that the United Nations to take stronger actions in condemnation of Cambodia's political prisoners with specific recommendations.

In my research, I will employ a variety of sources to attain as much balance as possible while seeking to substantiate claims to support my argument that the CPP regime is taking opposition party members as political prisoners in order to influence the outcome of the 2018 national election. While bias will be minimized, it is important to recognize that in creating a report in support of human rights and democratic values, there lies an inherent bias towards those very values. Furthermore, the richest sources on the issue of political prisoners are created by those who advocate against the notion, therefore, those sources may possess bias at the root. Once it is established that human rights abuses are present, the obligation to advocate for human rights creates another barrier toward objectivity.

To access the most current information available, I conducted a key informant interview as a primary source, accessing the most current available information

that illuminates factors supporting my argument. I conducted a review of academic, policy and advocacy literature to assess the state of current discourse on Cambodia's ruling regime and its human rights record. In addition, I consulted data compiled by the Cambodian League for the Promotion of Human Rights (LICADHO) detailing the 27 investigated cases of political prisoners that include all jailed political opposition members, which offers consistent evidence of the ruling regime's human rights violations, especially in connection to the forthcoming election. In addition, I consulted international treaties including the International Covenant on Civil and Political Rights and the ASEAN Declaration on Human Rights in order to isolate the specific international laws in question.

For balance, I will also consult an alternative source, the Cambodian Human Rights Committee (CHRC). The CHRC is a unit within the Cambodian government run by governmental officials tasked with the promotion, protection and development of human rights in the country. The work of the CHRC informs my research on how the Cambodian government perceives and portrays human rights conditions and whether its perception confirms or challenges reports made by leading advocacy groups.<sup>9</sup>

## **Maintaining Power Through Electoral Dominance**

Hun Sen, Cambodia's prime minister, has clearly communicated his intentions – in 2003, he publicly stated that he would stay in power for another decade. Since the coup of 1997 in which he assumed power, his regime has conducted elections every five years, a process deemed credible by the international community to legitimize power. Though marred with allegations of fraud, the elections are superficial processes

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<sup>9</sup> Royal Government of Cambodia, Cambodian Human Rights Committee, *Royal Decree of Establishing Cambodian Human Rights Committee*, accessed November 27, 2016, (Phnom Penh) [http://chrc.gov.kh/about\\_detail/?n\\_id=17](http://chrc.gov.kh/about_detail/?n_id=17)

through which the regime has maintained power and authoritarian rule for nearly two decades. In order to sustain electoral victory, the regime has little tolerance for opposition voices.

Democracy in Cambodia is the result of a multilateral post-Khmer Rouge nation-building effort. After the fall of Pol Pot,<sup>10</sup> the Cambodian landscape in 1979 was fragmented and bewildering. This was followed by a decade of Vietnamese occupation, after which Cambodia was still void of a legal system and functional institutions.<sup>11</sup> In 1992, The United Nations sent its most ambitious ever nation-building mission to rehabilitate Cambodia, the United Nations Transitional Authority in Cambodia (UNTAC).<sup>12</sup> UNTAC sponsored a national election in 1993 to create a power-sharing governmental structure with special focus on the electoral process.<sup>13</sup> Although the plurality of the votes was won by the United National Front for an Independent, Peaceful, and Cooperative Cambodia (FUNCINPEC), a royalist party led by Prince Norodom Ranariddh, the outcome was a power-sharing coalition government between FUNCINPEC and the Cambodia People's Party (CPP), a party with Marxist-Leninist leanings and a close relationship with Vietnam,<sup>14</sup> led by de facto leader Hun Sen.<sup>15</sup>

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<sup>10</sup> Pol Pot was the leader of the Khmer Rouge, a radical, totalitarian regime in power 1975-1979. The regime imposed severe hardship on its people, resulting in the displacement and death of millions of Cambodians. ("Pol Pot: Cambodian Political Leader," Encyclopedia Britannica, last edited December 12, 2006, accessed November 27, 2016, <https://www.britannica.com/biography/Pol-Pot> )

<sup>11</sup> Evan Gottesman, *Cambodia After the Khmer Rouge: Inside the Politics of Nation Building* (New Haven and London: Yale University Press, 2003) x-xi.

<sup>12</sup> Simon Springer, "Violence, Democracy, and the Neoliberal "Order": The Contestation of Public Space in Posttransitional Cambodia," *Annals of the Association of American Geographers*, accessed November 10, 2016, DOI: 10.1080/00045600802223333.

<sup>13</sup> Un, "Patronage Politics," 204-206.

<sup>14</sup> Michael Vickery, "The Cambodian People's Party: Where Has It Come From, Where Is It Going?" *Southeast Asian Affairs*, 1994, accessed November 29, 2016, [http://www.jstor.org.ezproxy.lib.utexas.edu/stable/27912097?pq-origsite=summon&seq=2#page\\_scan\\_tab\\_contents](http://www.jstor.org.ezproxy.lib.utexas.edu/stable/27912097?pq-origsite=summon&seq=2#page_scan_tab_contents)

<sup>15</sup> Un, "Patronage Politics," p. 204-207.

The coalition government lasted for four years that slowly escalated into violence. Initially willing to work together in a power sharing structure, dynamics between the two parties grew increasingly tense as CPP steadily dominated the government politically and militarily. Ranariddh, growing threatened by Hun Sen's dominance, worked to build a new political coalition, known as the National United Front (NUF) in 1996, which comprised of 12 political parties. Violence erupted into a bloody coup in 1997,<sup>16</sup> through which CPP and Hun Sen then obtained dominance over the government. Hun Sen then gained power to influence the democratic system such that it could direct Cambodia's subsequent electoral outcomes in its favor<sup>17</sup> through intimidation, coercion, media bias, violence against opposition party members, and violation of electoral laws.<sup>18</sup> This moment was crucial in establishing CPP's democratic authoritarianism, whereby the regime would maintain its power through an appearance of democracy. While the future elections in 1998, 2003 and 2008 were riddled with controversy,<sup>19</sup> in the absence of evidence of significant fraud, they were deemed "free and fair" by the international community,<sup>20</sup> as detailed through this section.

Some scholars are persuaded that CPP's coercive tactic of threats and violence over election results can be observed as early as the 1993 election in which FUNCINPEC won. Hun Sen used his power over local government officials to bribe and pressure voters, electorally driven violence was widespread,<sup>21</sup> and CPP operatives worked to intimidate FUNCINPEC candidates.<sup>22</sup> According to Kheang Un, a leading scholar on

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<sup>16</sup> Sorpong Peou, "Cambodia in 1997: Back to Square One?" *Asian Survey*, January 1988, accessed November 30, 2016, <http://www.jstor.org.ezproxy.lib.utexas.edu/stable/pdf/2645469.pdf>

<sup>17</sup> Un, "Patronage Politics," p. 207.

<sup>18</sup> Daniela Donno, *Defending Democratic Norms* (New York: Oxford University Press, 2013) 168.

<sup>19</sup> Ibid, p. 167-169.

<sup>20</sup> Un, "Patronage Politics," p. 208.

<sup>21</sup> Donno, *Defending Democratic Norms*, p. 164.

<sup>22</sup> Hafner-Burton, Hyde, and Jablonsky, "Election Violence," p. 164.

Cambodian politics, patterns of parallel violence and abuses, observed at the provincial and national levels, pointed to a coordinated effort by CPP to impact election outcomes through coercion, ranging from verbal threats to armed attacks. However, reports were unsubstantiated.<sup>23</sup>

The national election in 1998, in which CPP was victorious, was marked with more surveillance, intimidation, and violence. The United Nations Cambodia Office of the High Commissioner of Human Rights released a report weeks before the election describing government-orchestrated schemes of intimidation and violence, particularly in the countryside.<sup>24</sup> UN election monitors reported more than four hundred cases of intimidation and murder by the government during the pre-election period. Control of local administration significantly favored CPP, as 80% of Cambodia's population had no access to media; the only campaign information available to them was that which was distributed by their village chiefs, all whom were CPP affiliates.<sup>25</sup>

One of the regime's tactics was poll guarding, whereby groups of ten people at a time were ushered into polls while trusted CPP loyal activists watched over them. They were prevented from receiving information from opposition parties at polling stations, their thumb prints were taken, and the civilians were pressured to pledge allegiance to CPP.<sup>26</sup> The IRI documented a suspiciously high number of CPP voter turnout in the CPP-administered registration process, as well as ineligible voters being allowed to register, and some voters registering twice.<sup>27</sup> Similar surveillance was particularly pronounced in the countryside, where civilians did not have the protection of international eyes as they did in

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<sup>23</sup> Un, "Patronage Politics," p. 210.

<sup>24</sup> Ibid, p. 216.

<sup>25</sup> Donno, *Defending Democratic Norms*, p. 167.

<sup>26</sup> Un, "Patronage Politics," p. 216.

<sup>27</sup> Donno, *Defending Democratic Norms*, p. 167.

urban areas. CPP supporters were inducted into the party by public gift-giving ceremonies; gifts and cash were given in exchange for membership, and therefore, votes. Those who declined gifts were marked as opposition supporters and had a higher likelihood of being victims of post-election violence by CPP operatives, and their living assistance from the regime, discontinued. Although poll-monitors informed voters that they were not obliged to vote for any particular party, many of the villagers had previously taken oaths of loyalty in exchange for gifts.<sup>28</sup>

Urban areas became protesting sanctuaries under the watchful eyes of media and the international community, as opposed to rural areas where defiance against the government could affect civilians economically and physically without media witnesses.<sup>29</sup> Nonetheless, the suppression of freedom of expression would show itself, even in Phnom Penh.

The national election in 1998 marks the first major uprising in contestation of election results in the post-Vietnam era. After the election, Phnom Penh's Independence Square was the setting of a three-week long protest. Cambodians disputed the election results and to expressed deep dissatisfaction with pronounced poverty, severe inequalities, and socioeconomic insecurity. The socioeconomic condition of Cambodia was on a slow recovery from decades of civil war and conflict. In 1997, Cambodia's Gini index was at 40.39, giving it one of highest measures of income inequality in the world.<sup>30</sup> The World Bank reports that Cambodia's GDP per capita was just \$268.04 in 1998.<sup>31</sup> Frustrations

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<sup>28</sup> Springer, "Violence, Democracy," 147.

<sup>29</sup> Ibid.

<sup>30</sup> "Economy, GINI Index, Countries Compared," *Nation Master*, accessed November 30, 2016, <http://www.nationmaster.com/country-info/stats/Economy/GINI-index#1997>

<sup>31</sup> "Data: Cambodia," *World Bank*, accessed November 30, 2016, <http://data.worldbank.org/country/cambodia>



from socioeconomic hardship was compounded by that of the political discontentment over the election results.

On September 7, 1998, the demonstration turned violent as authorities moved in to crush the demonstration. The protesters were beat by into submission by clubs, struck by electric cattle prods, shot at, and their camp grounds bulldozed. It took authorities two days to clear Independence Square of protesters. During the two days, one civilian and two monks were killed, inducing public outrage.<sup>32</sup> The arrest of opposition leaders was ordered, and monks were banned from protesting. In defiance, monks led a march of 8,000 people that ensued for days, some of whom were armed with sticks, stones and guns. The violent crackdown continued: 26 were killed, and 18 additional dead bodies were found in irrigation ditches, ponds and rivers in the following days.<sup>33</sup> Consequently, CPP was able to assert and sustain its authority, albeit its legitimacy shaken,<sup>34</sup> and freedom of expression in Cambodia farther adrift. As reported in *The New York Times*, the event as an “unprecedented weeklong protest against the Cambodian leader Hun Sen,” in which 10,000 people rallied.<sup>35</sup>

The 2003 election had parallel outcomes and similar contestations to that of 1998, but the violence was drastically reduced. Twenty-three political parties were on the ballot. CPP’s two most successful opponents, FUNCINPEC and the Sam Rainsy Party (SRP), protested the results, again citing political violence and intimidation.<sup>36</sup> International election monitors were split on their reports about electoral integrity. The International

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<sup>32</sup> Sorpong Peou, “The Cambodian Elections 1998 and beyond: Democracy in the Making?” *Contemporary Southeast Asia*, December 1988, accessed November 30, 2016, <http://www.jstor.org.ezproxy.lib.utexas.edu/stable/pdf/25798430.pdf>

<sup>33</sup> Ibid, p. 147-148.

<sup>34</sup> Un, “Patronage Politics,” p. 207.

<sup>35</sup> “Cambodia Protested,” *The New York Times*, August 30, 1998, accessed November 30, 2016, <http://www.nytimes.com/1998/08/30/world/cambodia-protest-pressed.html>

<sup>36</sup> Un, “Patronage Politics,” p. 208.

Republican Institute (IRI) reported that the voting process was acceptable, but the election had been compromised by pre-election conditions that favored CPP.<sup>37</sup> However, most protests during this period did not provoke violence from the regime. Scholars surmise that Hun Sen's subdued leading style during this period was due to CPP's one-sided victory in the 1998 elections. No particular party at this time was strong enough to rival the regime's power. The newly emerged Sam Rainsy Party (SRP) had an agenda that emphasized liberal economic and democratic reform, appealing to urbanites, <sup>38</sup> but faced the challenge of having its leader, Sam Rainsy, abroad in self-imposed exile.<sup>39</sup> FUNCINPEC, the royalist party that once enjoyed the popular vote, suffered internal party conflicts and weakening leadership from Ranariddh.<sup>40</sup>

The years leading up to the 2008 election were characterized by intensifying discontent among Cambodians and a seemingly stronger CPP than ever. Land-grabbing controversies, the murder of well-known labor activist, Hy Vuthy, and increased economic development that disproportionately benefitted urban areas,<sup>41</sup> The electoral prospects for CPP appeared to be solid as major opposition parties lost their grip over civilian support. Ranariddh was sued by a FUNCINPEC senator for corruption in the 2006 sale of the party's headquarters. Convicted of breach of trust, the prince was in self-imposed exile, which kept him abroad and unable to sustain support for his new political party, the Norodom Ranariddh Party. Sam Rainsy of SRP seemed cozy with CPP relations, leading to the appearance of acquiescence to the ruling regime. Meanwhile, the emergence of the new

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<sup>37</sup> Donno, *Defending Democratic Norms*, p. 168.

<sup>38</sup> Caroline Hughes, "Khmer land, Khmer soul: Sam Rainsy, populism and the problem of seeing Cambodia," *South East Asia Research*, accessed November 30, 2016, <http://www.jstor.org.ezproxy.lib.utexas.edu/stable/pdf/23747112.pdf>

<sup>39</sup> Springer, "Violence, Democracy," p. 149.

<sup>40</sup> Springer, "Violence, Democracy," p. 149.

<sup>41</sup> Caroline Hughs, "Cambodia in 2007: Development and Dispossession," *Asian Survey*, accessed November 15, 2016, doi: 10.1525/as.2008.48.1.69.

Human Rights Party (HRP), led by Kem Sokha<sup>42</sup> threatened to split the opposition vote again, which would offer the victory to CPP.<sup>43</sup>

CPP's landslide victory again in 2008 was due to a number of conditions that allowed it to consolidate power. The incumbent regime boasted an annual growth of 11% since 2005 over which it presided.<sup>44</sup> CPP's largely marginalized opposition collectively won 31 seats in parliament. However, with opposition split between SRP, FUNCINPEC and HRP, none of the opposition parties were strong enough to challenge CPP. In addition, a border dispute with Thailand over sovereignty of the Preah Vihear temples was ruled in Cambodia's favor through a motion by the United Nations Scientific and Cultural Organization (UNESCO) to recognize the 11th century temples as a world heritage site for Cambodia, bolstering a surge of nationalism in time for the election.<sup>45</sup> The regime's control over the administrative apparatus of the election gave it an electoral advantage. In particular, having CPP loyalists in charge of voter registration reportedly disenfranchised up to a million opposition voters. Although councilors managing elections were prohibited from campaigning for any particular parties, observers reported active campaigning by authorities for CPP votes. By 2008, CPP controlled the National Assembly Presidency, the leaders of nine National Assembly Committees, and all ministerial positions.<sup>46</sup> In addition, the regime replicated its power at the provincial and district levels with CPP loyalists in a

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<sup>42</sup> Kem Sokha is was a prominent human rights activist and president of the Cambodian Center for Human Rights. (M2 Presswire (U.S. State Department) "Assistant Secretary Hill meets human rights activist Kem Sokha," May 6, 2005) Sokha later was president of the Human Rights Party, which merged with the Sam Rainsy Party in time for the 2013 election as a united opposition party called the Cambodia National Rescue Party. (Stephen Finch, "Interviews: Sam Rainsy," *The Diplomat*, June 7, 2013. <http://thediplomat.com/2013/06/the-diplomat-interviews/>)

<sup>43</sup> Hughes, "Cambodia in 2007," p. 74.

<sup>44</sup> Caroline Hughes, "Cambodia in 2008: Consolidation in the Midst of Crisis," *Asian Survey*, accessed November 15, 2016, doi: 10.1525/as.2009.49.1.206.

<sup>45</sup> Ibid, p. 211.

<sup>46</sup> Ibid, p. 206-207.

new effort to establish stronger control at the grassroots, giving itself power at all levels of government.<sup>47</sup>

Notably, CPP's tactics during this election cycle shifted from intimidation and violence to patronage politics. Individual gifts and development of temples irrigation systems, bridges, and roads in rural areas were given in exchange for votes. Chains of personalized networks involving business tycoons and military leaders took the place of institutions, and development funds from these networks represented twice that of the state. In the 2008 election, the main opposition party, SRP, again denounced the results. They cited intimidation, violence, collusion of local administrators in deleting potential SRP voters, and the relocation of polls just before election day. International election monitors reported that the election did not meet international standards. The Asian Network For Free Elections (ANFFREL) called for an investigation on grounds of manipulation, and European Union election monitors reported improper deletion of voters from registration lists and other irregularities.<sup>48</sup> However, in the absence of evidence of massive fraud, the results were ultimately accepted.<sup>49</sup>

Although irregularities seemed to play a role in CPP's dominance in the 2008 elections, they were not the main deciding factor in determining the election outcomes. CPP presided over economic growth for a decade, and the regime's "development policies" in rural areas garnered support from civilians for whom gifts during elections provided some relief from crippling poverty. SRP mainly appealed to young, educated, urban voters who wanted to correct the social and economic injustices, corruption, weak rule of law,

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<sup>47</sup> Ibid, p. 208.

<sup>48</sup> "Cambodia: International Monitors Say Election 'Flawed,' Below Accepted Standards," *World News Connection*, July 29, 2008, accessed December 1, 2016, <http://wnc.eastview.com.ezproxy.lib.utexas.edu/wnc/simple/doc?art=15&id=31202396>

<sup>49</sup> Kheang Un, "Cambodia's 2008 Election: the end of opposition?" *Open Democracy*, August 5, 2008, accessed November 15, 2016. <https://www.opendemocracy.net/article/cambodia-s-2008-elections-the-end-of-opposition>

and lack of governmental accountability. However, the institutionalized corruption and CPP's authoritarian style of government had become normalized, offering civilians an acceptable alternative to political instability and violence.<sup>50</sup> Nonetheless, the human rights situation in Cambodia remained poor. Forced evictions for urban development<sup>51</sup> became more pronounced, and arbitrary arrests, extrajudicial killings and impunity remained rampant.<sup>52</sup>

Importantly, SRP and HRP were not able to provide a united front against CPP in the 2008 election as separate parties. They represented themselves as the only reasonable alternative against CPP, thereby splitting the opposition votes.<sup>53</sup> Through the next five years, this division would be corrected to significantly alter conditions in the 2013 election that would, for the first time, loosen CPP's grip of power.

### **The 2013 Election: Changing Political Landscape**

In 2012, the third elections for commune councilors was held, in which CPP demonstrated a monstrous win of 97%. Such a significant defeat of SRP and HRP was the result of CPP's dominance of media, institutions, and state resources.<sup>54</sup> In addition, Sam Rainsy had been unable to campaign by being in self-imposed exile to dodge a 10-year

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<sup>50</sup> Ibid.

<sup>51</sup> Amnesty International reported in February of 2008 that forced evictions were one of the most prevalent human rights abuses in Cambodia. About 150,000 Cambodians were at risk of being forcefully evicted from their homes because of land-grabbing and development projects ("Forced Evictions in Cambodia: Homes Razed, Lives Ruined," *Amnesty International*, February 11, 2008, accessed December 1, 2016, <https://www.amnesty.org/en/press-releases/2008/02/forced-evictions-cambodia-homes-razed-lives-ruins-20080211/> )

<sup>52</sup> U.S. Department of State, "Cambodia," 2008 Country Reports on Human Rights Practices, <http://www.state.gov/j/drl/rls/hrrpt/2008/eap/119036.htm> (accessed November 15, 2016)

<sup>53</sup> Un, "Cambodia's 2008 Election."

<sup>54</sup> Kheang Un, "Cambodia in 2012: Beyond Crossroads?" *Asian Survey*, accessed November 15, 2016, doi: 10.1525/as.2013.53.1.142.

sentence for destruction of a border post in a 2009 act of protest, and for disinformation.<sup>55</sup> Consistent with the national election of 2008, CPP's network of patron-bases groups made up of party leaders, governmental officials, and business owners directed resources toward gifts of infrastructure development.<sup>56</sup> This landslide victory for CPP may have offered an awakening to the major opposition parties towards recognizing the probability that another landslide win for CPP was in the works for the 2013 election.

In July of 2012, SRP and HRP joined to form the Cambodia National Rescue Party (CNRP) to increase their potential in the 2013 election in solidarity against CPP.<sup>57</sup> At Hun Sen's request, King Sihamoni granted Sam Rainsy a royal pardon about a week before the election.<sup>58</sup> Hun Sen claimed that this was a move for Rainsy to "provide peace" for the country.<sup>59</sup> His return to Cambodia was the biggest political development for many years, but was not covered by TV stations which were all owned by the government and its loyalists.<sup>60</sup>

CPP was again the victor in the 2013 elections; however, it was far from a landslide. The large amount of passionate civil engagement in the election process was indicative of

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<sup>55</sup> Sam Rainsy was sentenced to 10 years in prison on charges of disinformation and fortifying documents pertaining to a border dispute issue with Vietnam, in which he removed a border post as a public demonstration to call attention to what he considered to be incorrect border demarcation. ("Sam Rainsy Gets 10 Years," *Phom Penh Post*, September 23, 2010, accessed December 1, 2016, <http://www.phnompenhpost.com/national/sam-rainsy-gets-10-years>)

<sup>56</sup> Un, "Cambodia in 2012," p. 144.

<sup>57</sup> Sam Rainsy and Kem Sokha had been political adversaries for years until they united as the Cambodia National Rescue Party in time to consolidate the opposition vote against CPP in the 2013 elections. (Lauren Crothers and Kuch Naren, "Upon Return, Can Sam Rainsy and Kem Sokha coexist?" *The Cambodia Daily*, July 17, 2013, accessed December 1, 2016, <https://www.cambodiadaily.com/elections/upon-return-can-sam-rainsy-and-kem-sokha-co-exist-35215/>)

<sup>58</sup> Un, "Cambodia in 2012," p. 144. [need to fix spacing issues in footnotes]

<sup>59</sup> "Cambodian Opposition Chief Rainsy Gets Royal Pardon," *Radio Free Asia*, July 12, 2013, accessed December 1, 2016, <http://www.rfa.org/english/news/cambodia/pardon-07122013100422.html> )

<sup>60</sup> Duncan Mccargo, "Cambodia 2013: (No) Country for Old Men," *Asian Survey*, accessed November 15, 2016, doi: [10.1525/as.2014.54.1.71](https://doi.org/10.1525/as.2014.54.1.71)

seismic changes in the political landscape. In addition to the dynamic union of two major opposition leaders, other conditions led this election to be historically distinct.

CPP's manipulation of media outlets backfired, as civilians increasingly turned to alternative sources of information such as Voice of America (VOA) and social media.<sup>61</sup> The proliferation of social media forums, such as Facebook, Twitter, and YouTube, became the communication medium of choice for the changing electorate, which was younger and more exposed to external ideas. Thirty six percent of voters were age 18-30.<sup>62</sup> These new driving forces led to some unexpected developments during the election; it was the closest that CPP has ever been to losing its power.

Although violence did not emerge in the early days following the election, contestation of the election outcomes was especially fervent. The opposition cited intimidation, control of the media, fraud and overall lack of accountability. The regime blatantly ignored repeated recommendations by the United Nations and donor countries for electoral reform.<sup>63</sup> Particularly alarming was the concern of about 1.2 million voters whose registration was mysteriously missing. Victims of forced eviction<sup>64</sup> whose documents were lost did not get to vote; this issue was illuminated by rights advocates early on, but did not get attention from the regime.<sup>65</sup> A survey conducted by Committee for Free and Fair Elections in Cambodia (COMFREL) found that at least 3,600 evictees were denied registration. Transparency International election observers noted "large-scale

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<sup>61</sup> Ibid, p. 75.

<sup>62</sup> Men Kimseng, "Shaping Political Change: The Role of Social Media in Cambodia's 2013 Elections," *Asia Pacific Media Educator*, accessed November 15, 2016, doi: 10.1177/1326365X14539201.

<sup>63</sup> United Nations General Assembly, Human Rights Council: Reporting on the Working Group on the Universal Periodic Review, Cambodia (New York 2014)

<sup>64</sup> Amnesty International reported in February of 2008 that forced evictions were one of the most prevalent human rights abuses in Cambodia. About 150,000 Cambodians were at risk of being forcefully evicted from their homes because of land-grabbing and development projects ("Forced Evictions")

<sup>65</sup> Katharya Um, "Cambodia in 2013: The Winds of Change," *Southeast Asian Affairs*, accessed June 30, 2016, <http://muse.jhu.edu.ezproxy.lib.utexas.edu/article/552388/pdf>

disenfranchisement,” where an unusually high number of temporary identity certificates, about half a million, were used by the regime. In December, the Electoral Reform Alliance (ERA) was formed, a coalition of eight NGOs that advocated for electoral reform. ERA released a report detailing the irregularities and gave the regime recommendations similar to that of the international community. However, the CPP-dominated Constitutional Council of Cambodia rejected all claims of stated irregularities, asserting that contestations lacked reasonable proof, and only small technical mistakes of staff had been proven and had no impact on election outcomes.<sup>66</sup>

Given overwhelming, though unsubstantiated, evidence of electoral manipulation and the regime’s control over apparati like TV, radio and print media, judicial system, military, police and electoral administration, the election results were astoundingly narrow. CNRP won 55 out of 123 seats in the national assembly. CPP’s seats fell from 90 to 68, 22 lost from last year, but the regime still remained the majority.<sup>67</sup>

The opposition did not easily acquiesce to defeat. Believing itself to be the rightful winners of the election, CNRP refused to acknowledge poll results and boycotted the national assembly. After several attempts to negotiate with CPP were unsuccessful, mass demonstrations were carried out, mobilizing hundreds of thousands of protesters into the streets of Phnom Penh to demand Hun Sen’s resignation. Starting December 15, massive peaceful demonstrations were held by disgruntled civilians on a weekly schedule, calling for regime change or reforms, and negotiations were continually refused by CNRP based on CPP’s refusal to accept a formal investigation of electoral irregularities.<sup>68</sup> On

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<sup>66</sup> Ibid.

<sup>67</sup> Kimseng, “Shaping Political Change,” Abstract.

<sup>68</sup> “Opposition protests unlikely to lead destabilize government or lead to new elections in Cambodia,” *Jane’s Intelligence Weekly*, December 11, 2013, accessed November 15, 2016, <http://search.proquest.com.ezproxy.lib.utexas.edu/docview/1469699293/fulltext/647AD190322243FAPQ/1?accountid=7118>



December 22nd, an estimated 500,000 protesters occupied a stretch of three miles of Phnom Penh streets.<sup>69</sup> Aside from some violent suppression of protesters in the early days following the election, the regime's reaction to the continued protests were noticeably restrained.<sup>70</sup>

On January 2, 2014, the crackdown began. Ten protesters were arrested outside of a garment factory; at least three of the arrested were human rights advocates. The next day, violence erupted outside Canada Industrial Park in Southwest Phnom Penh, where military police opened fire on demonstrators. Five were killed, 40 were injured, and 13 people were arrested. A day long standoff between young men and riot police resulted in a disbanding of the protest and tight security of the area. The regime defended their actions on the premise that demonstrations were no longer peaceful, citing the need to restore public roads and spaces for regular civilian use.<sup>71</sup>

On January 4, 2014, plain-clothed pro-CPP security guards forcefully cleared protesters' encampment at Freedom Park, a designated free speech zone. Subsequently, a ban on demonstrations was put in place in the name of public order and security. CNRP leaders Kem Sokha and Sam Rainsy were then summoned to court to explain the mayhem. Ultimately, the three-day crack-down resulted in five striking garment workers killed, and three human rights advocates arrested. <sup>72</sup>

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<sup>69</sup> Paramewaran Ponnudurai, "In Largest Protests Since Polls, Cambodians Demand Re-election," *Radio Free Asia*, December 22, 2013, accessed November 16, 2016, <http://www.rfa.org/english/news/cambodia/demand-12222013144758.html>

<sup>70</sup> Um, "Cambodia in 2013," p. 99-100.

<sup>71</sup> Jo Freeman, "Is Cambodia at a Tipping Point?" *CNN*, January 10, 2013, accessed November 16, 2016, <http://www.cnn.com/2014/01/10/world/asia/cambodia-protests-analysis/index.html>.

<sup>72</sup> Freeman, "Cambodia at a Tipping Point?"

## **A Threatened Regime**

The rallies following the 2013 election represented the biggest threat to Hun Sen in over two decades. The heavy-handed crack down since December 2, 2013 was an indication that the regime had reached a tipping point, apparently no longer concerned with the appearance of tolerance of peaceful demonstrations and freedom of expression.

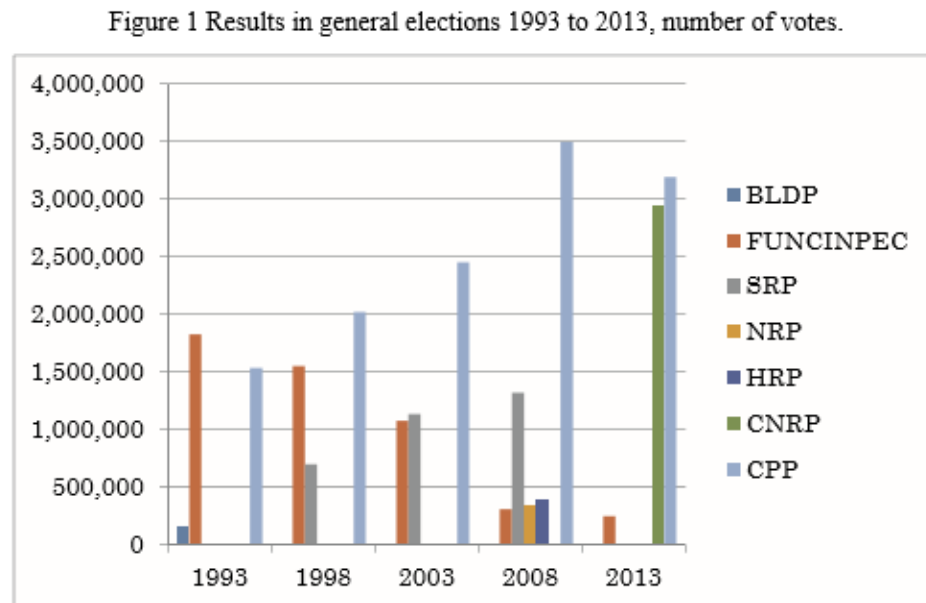
Since early 2014, uncertainty of CPP's continued success has caused dissent within the party, and posed an additional threat to Hun Sen's two decades reign. The regime's past thuggish ways are increasingly less effective<sup>73</sup> due to internal demographic changes such as an increasingly young electorate, and new external forces such as the rise of social media. The advent of social media has facilitated a proliferation of new ideas about true democracy and favorable alternatives to the regime and discontent with Cambodia's paralyzing corruption. CPP's strategies of thorny politics, loyalty, obligation, rewards and exclusion to maintain its voting base was growing less palatable to the shifting population. The demographic shift in Cambodia was significant; 26% of the population was made up of young people in poor households, and 1.5 million Cambodians became eligible to vote in 2013.<sup>74</sup> The country's younger electorate was less likely to own land, and more likely to seek livelihoods in urban areas, thereby be less susceptible to rely on CPP's rural gifting devices.

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<sup>73</sup> Caroline Hughes, "Understanding the Elections in Cambodia 2013." *Journal of Area-Based Studies*, accessed November 20, 2016, <http://dept.sophia.ac.jp/g/gs/wp-content/uploads/2015/06/b98c8184d35f9b156df22f210dd322a2.pdf>

<sup>74</sup> Ibid, p. 13.

Figure 1 Results in General Elections 1993, 2003, number of votes

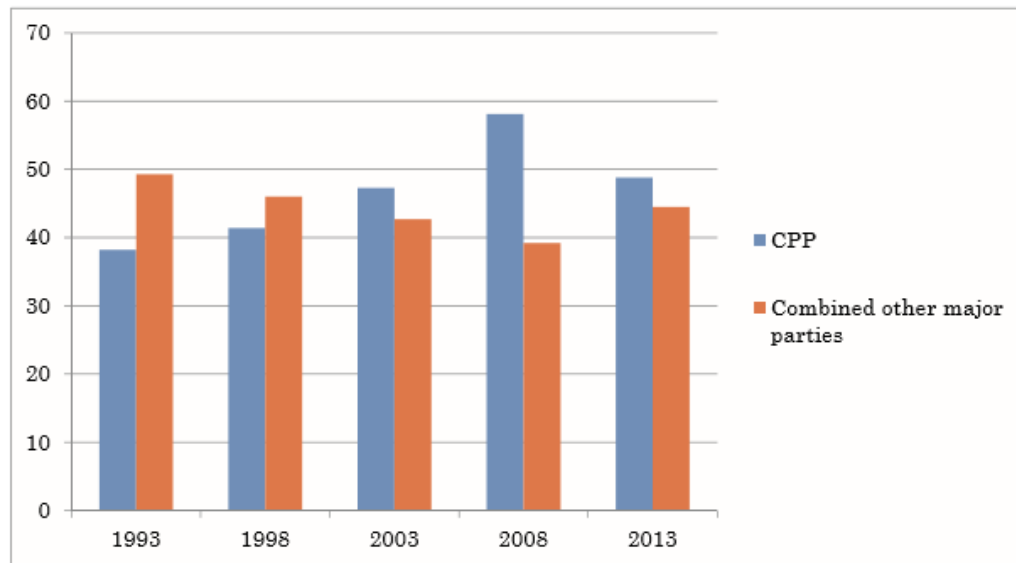


Source: National Election Committee and COMFREL.

Figure 1 expresses the comparison of votes for all five democratic elections. At first glance it appears as if the 2013 election is anomalous. Aside from the UNTAC-led election of 1993, CPP has won all previous elections with a clear lead. However, when examining a comparison between votes for CPP and consolidated opposition votes, we can see that CPP has had to work vigilantly to maintain victory, as demonstrated in Figure 2.<sup>75</sup>

<sup>75</sup> Hughes, "Understanding the Elections," p. 2.

Figure 2: CPP v. Combined Opposition in National Elections post-1993: percentage of the vote



Source: National Election Committee and COMFREL

Figure 2 provides more clarity of the distribution between CPP votes and non-CPP votes. Aside from the 2008 election, the combination of opposition votes was a rivaling force against CPP that had been split among a number of parties. In the 1998 election, there were 39 opposition parties on the ballot.<sup>76</sup> This data exposes the effectiveness of CPP's divide and conquer strategy. The unification of two major opposition parties proved the key towards checking CPP's previous electoral dominance and loosening its grip of power.

The strength of CNRP in 2013 was due to it being a union between two major opposition parties. The opposition vote shared a core list of common concerns: corruption, nepotism, illegal immigration, damage to the environment, and land-grabbing. These common concerns among opposition supporters made an amalgamation of parties and unification of votes possible. The decline of the FUNCIPPEC party in the early 2000s helped

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<sup>76</sup> Ibid, p. 4.

concentrate the opposition vote to be more homogenous and united around CNRP's platform of liberal reform. This unification under a secular nationalist mission had not existed since the 1993 election under UNTAC.<sup>77</sup> In 2013, for the first time, Cambodia was operating under a two-party political system.

Despite widespread claims of electoral irregularities and Sam Rainsy returning to Cambodia from exile just days before the election, CNRP made tremendous encroachment on CPP's power over the electorate. As a result, the trajectory of demographic changes is not in favor of CPP for the 2018 election. Results from 2013 showed that the 10 million voters are divided along rural-urban and generational party lines. Younger, more urban voters lean towards CNRP.<sup>78</sup> As Cambodia's demographics grow increasingly urban, and as more of the country's youth become eligible to vote, CPP's prospects for the 2018 election look increasingly pale.

The 2013 election provided an awakening not just for CPP, but also for the electorate who may have suddenly felt safer to express its grievances under the encouragement of Rainsy and Sokha. Moreover, the International Republican Institute conducted an opinion poll that found dissatisfaction among Cambodians from January to October of 2013 dramatically increased. Respondents who believed that the country was heading in the right direction jumped from 79% to 55%, and respondents who thought the country was heading in the wrong direction increased from 21% to 43%. A later poll in 2014 by the Asia Foundation found that this number rose to 59% -- the highest recorded by the Asia Foundation or the IRI since they began conducting polls in 2000.<sup>79</sup> There are

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<sup>77</sup> Ibid, p. 14.

<sup>78</sup> Damien Kingsbury, "Cambodian Election: Hun Sen losing his tight grip on power," *Crikey*, July 29, 2016, accessed November 20, 2016, <https://www.crikey.com.au/2013/07/29/cambodian-election-hun-sen-losing-his-tight-grip-on-power/>

<sup>79</sup> Hughes, "Understanding the Elections," 15.

few reasonable causes for this increased dissatisfaction among the electorate other than the election result itself; there were no economic dips observed during this period. Widespread belief of a fraudulent election could have generated dissatisfaction, or post-election instability could have triggered concerns of a possible political crisis<sup>80</sup> – these all point to a trajectory that does not bode well for CPP in 2018.

The Cambodian context is consistent with findings in a study by Emilie M. Hafner-Barton, Susan D. Hyde and Ryan S. Jablonski, “When Do Governments Resort to Election Violence?” In this study, the authors argue that leaders who have less institutional constraints, defined as electoral rules or laws, and are faced with threats of losing power in an election are more likely to resort to violence and repression. If constraints exist, they may work to mitigate regime violence in this context.<sup>81</sup> The study examines the distinction between pre-election violence and post-election violence, which are interrelated; a cycle could be triggered whereby pre-election violence and repression spurs post-election protests, which in turn cause more regime-sponsored post-election violence. Their findings state that electoral fraud (when revealed) increases the likelihood of post-election protests, which in turn incentivizes the regime to engage in post-election violence and repression.<sup>82</sup> These protests reflect a willingness of the people to organize and take collective action to address problems publicly; seen by the incumbent as a way to strip its legitimacy and remove it from power.<sup>83</sup>

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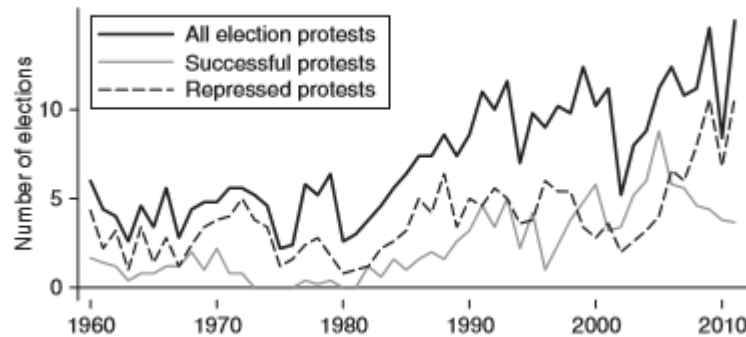
<sup>80</sup> Ibid, p. 16.

<sup>81</sup> Emilie M. Hafner-Burton, Susan D. Hyde, and Ryan S. Jablonski, “When do governments resort to election violence?” *British Journal of Political Science*, accessed November 20, 2016, doi: [10.1017/S0007123412000671](https://doi.org/10.1017/S0007123412000671)

<sup>82</sup> Ibid, p. 153- 154.

<sup>83</sup> Ibid, p. 156.

Figure 3: History of post-election protests and protest ‘success’



\*Taken from *When Do Governments Resort to Election Violence?* by Emilie M. Hafner-Burton, Susan D. Hyde, and Ryan S. Jablonski

Note: successful protests include any case in which election protests contributed to an election being cancelled or an incumbent being deposed. Repressed protests are cases in which the government used violence against demonstrators.

Based on the findings of this study, CPP’s concern of losing its power in the upcoming 2018 elections is warranted. Figure 3 depicts that election protests, in general, are seeing increased rates of success globally; defined by the cancellation of an election or the removal of an incumbent. Protests also provide an indicator of the regime’s popularity among the electorate. Although it may seem predictable that an authoritarian democratic regime would resort to violence against threats to keep itself in power or assert its legitimacy, it is not clear how to measure these threats.<sup>84</sup>

This existing scholarship suggests that post-election protests and demands of resignation are an unintended consequence of CPP’s pre-election repression, or its assumed election fraud. These grievances were the explicit message of the protestors. Moreover, the incumbent regime has reacted predictably to heightened opposition with

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<sup>84</sup> Ibid, Abstract.

increased violence, repression, and an enduring climate of intimidation, including a wave of political arrests, as detailed in the following section.

### **Incapacitating the Opposition: dubious charges and imprisonment**

The regime showed periodic restraint in its tendency towards repression, particularly after the 2008 victory. However, in the early months after the 2013 election, besides a period of attempted dialogue in 2014-2015, it has not shown strong signs of acceding to popular will. To the contrary, it has further tightened the state with more repressive legal reforms and grown more audacious in its tactics in creating a climate of intimidation whereby debate and opposition voices are not tolerated, such as through its new Law on Associations and Non-Governmental Organizations (LANGO).<sup>85</sup> Particularly alarming is the rise in political arrests and imprisonment that saw a sharp uptick in political prisoners, which will be discussed later in this report.

A short period of an attempted “culture of dialogue” between CPP and CNRP, starting about April of 2014, offered hope for improved democratic conditions in Cambodia. Initiated by Sam Rainsy, it was an effort to engage in meaningful discourse with CPP in a way that had not been attempted before since the UNTAC era of the early 1990’s. Hun Sen and Rainsy, for the first time, were pictured together as a show of confidence for a peaceful coexistence. However, the opportunity for dialogue with Hun Sen would grow increasingly conflicting for Sam Rainsy, as the prime minister expressed veiled threats toward Kem Sokha.<sup>86</sup>

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<sup>85</sup> The Law on Associations and Non-Governmental Organizations (LANGO) is a law passed in 2011 that mandates registration of all civil society organizations, a clear violation of freedom of association and other human rights. (“Law on Associations and Non-Governmental Organizations,” *Cooperation Committee for Cambodia*, August 24, 2016, accessed December 1, 2016, <http://www.ccc-cambodia.org/index.php/lango>)

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Many remain wary of Hun Sen's true intentions. Suspensions notwithstanding, the period yielded the release of several political activists at the request of CNRP. In November of that year, 10 female land-activists who were arrested in April were pardoned by the King<sup>87</sup> and released.<sup>88</sup> This period of dialogue also brought a momentary break to CNRP's boycott of the national assembly, and the two leaders, Rainsy and Sokha, to join parliament.

These improved relations lasted until July of 2015, after which the regime's actions took an aggressive turn, especially in its attack on freedom of assembly and political arrests. In July, conditions between the two parties quickly deteriorated; 11 CNRP members were convicted of insurrection and charged with 7-20 years each for a demonstration that was held in July of 2014. Allegations of their participation in these demonstrations was not supported by evidence.<sup>89</sup> Charges were also made against seven opposition members of parliament who were arrested at the same demonstration and shortly released. One member of parliament, Ouck Pich Samnang, received an additional sentence of two years for participating in a separate demonstration on October of 2014 in which he was brutally beaten by security forces.<sup>90</sup>

In August 2014, three activists from Mother Nature Cambodia, a conservation NGO, were arrested and sentenced to two years for allegedly threatening to destroy a dredging vessel while campaigning to prevent illegal sand dredging in Koh Kong, a province on the Southwestern coast of Cambodia. During the same month, 2 monks, Dev

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<sup>87</sup> Cambodia is a constitutional monarchy such that the king is the head of the state, but not the head of the government. Although the power of the king is limited, he has the power to give full or partial pardons to individuals who have been convicted of crimes. (Cambodian Information Center, "Government and Politics," accessed December 1, 2016, <http://www.cambodia.org/facts/>)

<sup>88</sup> "Annual Report: Cambodia," Amnesty International, accessed November 20, 2016, <https://www.amnesty.org/en/countries/asia-and-the-pacific/cambodia/report-cambodia/>

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

Tep and Chea Vanda, who were active demonstrators since the 2013 elections were defrocked and arrested for drug possession, forgery, and death threats, which they claim are false. In October, Koh Kong community representative, Vein Vorn, was arrested while peacefully protesting a major dam project.<sup>91</sup>

Because these arrests are of publicly known individuals, they garner attention from advocacy groups and the media. However, there are believed to be hundreds more political arrests that go unreported.

An activist who works with the most current information available for a human rights organization in Phnom Penh provided insight from the field in an anonymous Skype interview.<sup>92</sup> The interviewee affirms that the regime has been working to steadily neutralize dissent voices since the beginning of its existence through imprisonment. However, the scale of the repression, starting in July of 2015, is significantly worse. Whether examining the number of people imprisoned, the type of people imprisoned, or the length of time the individuals are imprisoned, there has never been a time that CPP has been so aggressive in taking political prisoners. Efforts to silence the opposition are far enough ahead of the next election to minimize negative effects on votes for CPP in the 2018 election.<sup>93</sup>

Since this uptick of high profile political prisoners in July of 2015, the Cambodian League for Promotion and Defense of Human Rights, also known as LICHADE, has been investigating and monitoring the most public cases.

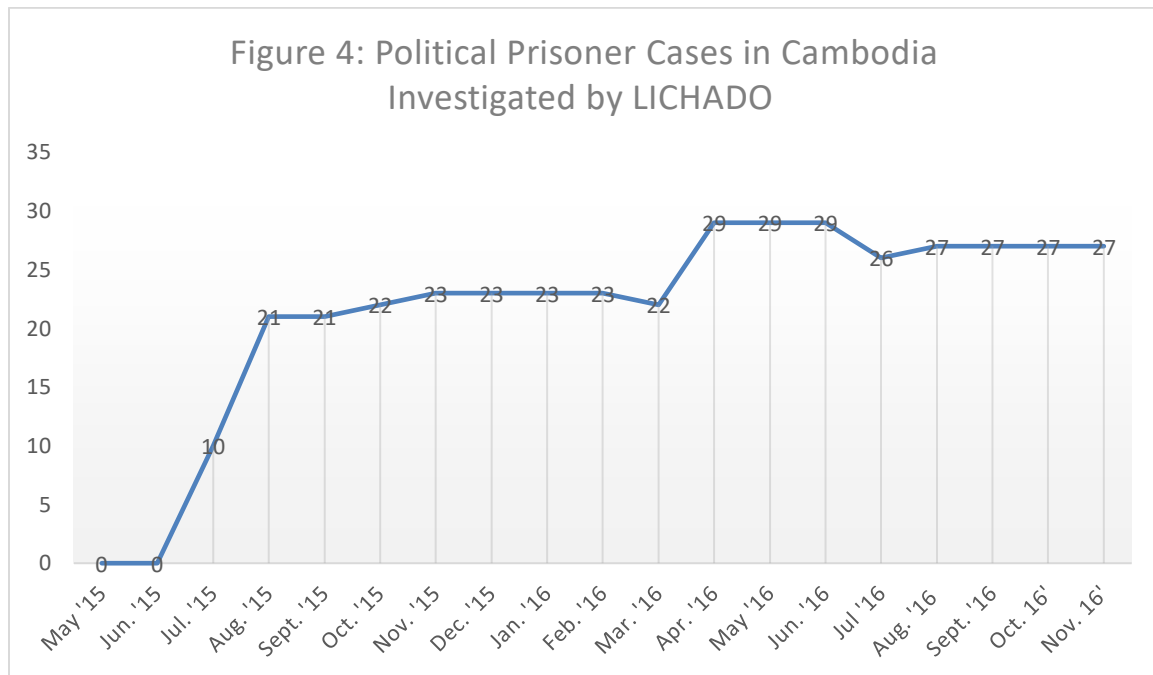
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<sup>91</sup> Ibid.

<sup>92</sup> Skype interview conducted on November 29, 2016, transcript on file with author.

<sup>93</sup> Ibid.

Figure 4: Political Prisoner Cases in Cambodia Investigated by LICHADO



\*source: LICADHO website, reflects the latest developments as of November 26, 2016 (numbers not exhaustive)

Figure 4 demonstrates the upsurge of political arrests with cases being investigated by LICADHO, which include human rights defenders, environmentalists, monks, students, elected members of parliament, and elected members of the senate. Currently, there are 27 political prisoners detained whose cases are being examined by LICADHO. Particularly alarming is the regime's sudden boldness in arrests of CNRP officials – a blatant strike against the opposition. LICADHO's list of prisoners whose cases are being investigated shows 19 CNRP affiliated political prisoners.<sup>94</sup> Individual CNRP affiliate prisoners are shown in Appendix i.

<sup>94</sup> "Cambodia's Political Prisoners," *LICADHO*, accessed November 20, 2016, [http://www.licadho-cambodia.org/political\\_prisoners/](http://www.licadho-cambodia.org/political_prisoners/)

Of the prisoners' cases being investigated by LICHADO who have been sentenced, the CNRP affiliates have significantly longer sentences. All but one are sentenced to 7-20 years. Non-CNRP affiliates have been given 3-18 months. Of the elected officials imprisoned, only one will have finished serving his sentence by the 2018 national election.

The nail on the coffin of the "culture of dialogue" seems to have been applied on July 21, 2015 through these arrests. Significantly, just 48 hours before this surge of arrests, the opposition led a procession of thousands of civilians to a disputed Vietnamese border area,<sup>95</sup> Svay Rieng<sup>96</sup> This very public demonstration was to bring attention to a border dispute that CNRP officials felt the regime would not work to resolve. The procession was done in direct opposition to the regime's suggestions to keep away from the area,<sup>97</sup> and may have triggered a long dormant interest in mass arrests by the regime.<sup>98</sup>

After July 21st, 2015, CNRP experienced a series of direct, ruthless and sometimes violent strikes by the regime. Additional arrests of CNRP members and officials took place throughout August and November. On October 26th, two CNRP members of parliament, Kong Saphea and Nhay Chomroeun were violently pulled out of their cars and brutally attacked outside of the National Assembly by a mob of CPP supporters after a pro-CPP demonstration nearby calling for the resignation of Kem Sokha. Just four days later, all 68

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<sup>95</sup> Interview.

<sup>96</sup> Svay Rieng is a province in Southeastern Cambodia that is part of Kampuchea Krom, a territory that is highly disputed between Vietnam and Cambodia. (Vong Sokheng, "MPs Visit Disputed Svay Rieng Border" *Phnom Penh Post*, June 7, 2002, <http://www.phnompenhpost.com/national/mps-visit-disputed-svay-rieng-border> )

<sup>97</sup> Mech Dara, "Gov't to Inspect Disputed Svay Rieng Border," *The Cambodia Daily*, July 13, 2013, accessed November 21, 2016, <https://www.cambodiadaily.com/archives/govt-to-inspect-disputed-svay-rieng-border-87994/>

<sup>98</sup> Anonymous, Interview.

CPP members of parliament voted to remove Kem Sokha as a National Assembly Vice-President. CNRP members boycotted the session, and Sokha lost his seat.<sup>99</sup>

On November 13th, 2015, a warrant was issued for the arrest of Sam Rainsy for offenses from 2008 and 2011 of defamation, incitement and discrimination – charges for which he was granted a royal pardon in 2013. Deputy Prime Minister and Minister of Foreign Affairs Hor Namhong requested a reopening of the case in order to enforce the original verdict because the royal pardon failed to explicitly mention incitement and discrimination, two years in prison. Three days later, National Assembly President Heng Samrin ordered the removal of Rainsy from his position as a parliamentary member, which stripped him of immunity from arrest. His arrest warrant was approved by the National Assembly the same day at a meeting that was boycotted by CNRP. On November 20th and December 1st, 2015, Rainsy was summoned to court for a series of new charges, ranging from forgery to incitement.<sup>100</sup> Rainsy was by then overseas in France, where he is a dual citizen, and on January 17, 2016, he expressed his determination to lead his party overseas in self-exile.<sup>101</sup>

On October 18th of 2016, a directive was issued by the Interior Ministry's immigration chief to officially ban Sam Rainsy from returning to Cambodia. All checkpoints of entry into the country were ordered to deny his entry, including airlines and airports. The United Nations Office of the High Commissioner of Human Rights has declared the directive unjustified, claiming it violates the International Covenant on Civil

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<sup>99</sup> “Cambodia: Timeline of Harassment of CNRP MPs, members, and supporters,” *LICADHO*, accessed November 21, 2016, <file:///C:/Users/bongm/AppData/Roaming/Zotero/Zotero/Profiles/vscdmsso.default/zotero/storage/U28ZZS62/LICADHO.Harrassment.Of.Opposition.pdf>

<sup>100</sup> Ibid.

<sup>101</sup> Phorn Bopha, “Sam Rainsy Seeks to Lead his Party From Exile Abroad,” *Voice of America*, January 18, 2016, accessed November 21, 2016, <http://www.voacambodia.com/a/sam-rainsy-seeks-to-lead-his-party-from-exile-abroad/3151247.html>

and Political Rights.<sup>102</sup> Furthermore, the UNHCHR asserts that it undermines the regime's ongoing claim that there are no political prisoners in Cambodia, but rather, political officials who are guilty of crimes.<sup>103</sup>

Kem Sokha remains in Phnom Penh under voluntary house arrest at the CNRP headquarters, in order to continue leading the party in light of Sam Rainsy's exile. An escalation of aggression against the deputy leader started in May of 2016, as police sought to arrest Sokha at the CNRP headquarters before acknowledging that they had no arrest warrant. The attempted arrest was on the grounds that Sokha did not obey two court summonses to answer questions about an alleged affair with a hairdresser and soliciting prostitute – accusations CNRP believes to be politically motivated.

Since July of 2015, the regime has managed to detain numerous key members of the opposition and incapacitate both CNRP leaders from performing their electoral duties. It seems that the preceding period of dialogue was an attempt by CPP to test the grounds for a FUNCINPEC-like coalition for a shared, but imbalanced power structure. The major collaborative actions performed by the regime proved to be inauthentic in its perceived efforts for holistic political reform. The royal pardon offered to Sam Rainsy did not explicitly mention two of his three charges – seemingly a way to offer the regime a path to rescind the pardon in 2015.<sup>104</sup> As it became clear that CNRP would

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<sup>102</sup> Colin Meyn, "U.N. Calls for Immediate Explanation for Sam Rainsy's Exile," *The Cambodia Daily*, October 25, 2016, accessed November 21, 2016, <https://www.cambodiadaily.com/news/un-calls-immediate-explanation-sam-rainsys-exile-119690/>

<sup>103</sup> Kuch Naren, "Hun Sen Says No Political Prisoners," *The Cambodia Daily*, November 26, 2012, accessed November 21, 2016, <https://www.cambodiadaily.com/archives/hun-sen-says-no-political-prisoners-6304/>

<sup>104</sup> Cambodia is a constitutional monarchy such that the king is the head of the state, but not the head of the government. Although the power of the king is limited, he has the power to give full or partial pardons to individuals who have been convicted of crimes. ("Government and Politics")

not emulate the failures of FUNCINPEC of agreeing to an imbalances power structure and eventually forced out of power, the regime made a U-turn against the opposition.<sup>105</sup>

### **Repressive Legal Framework**

Written in 1993, the constitution provides an administrative framework. The King is the head of the state, and an elected prime minister is the head of the government. The bicameral legislature consists of a senate and national assembly, and a constitutionally independent judiciary exercises the judicial power.<sup>106</sup>

The Cambodian constitution was composed as part of a nation-building mission led by UNTAC that sought to rebuild the country in the image of a liberal democracy. Provisions of the constitution are a result of tremendous influences from international powers, strong interest in economic development, and complex interactions between internal actors. At the time the constitution was written, Cambodia accepted political and technical solutions offered by the international community, putting its post-conflict political realities aside in order to fit the international standards demanded of it in the interest of legitimacy and international integration.<sup>107</sup> This practice of performing obligatory motions in order to fit the guidelines necessary to participate in a liberal economic system has grown into grotesque habits. Today, there seems to exist two sets of laws – the ones articulated in the Cambodian constitution to which the regime is obliged, and the informal ones that expose the current regime’s strong authoritarian tendencies.

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<sup>105</sup> Anonymous, Interview.

<sup>106</sup> Jennifeer Holligan and Tarik Abdulhak, “UPDATE: Overview of the Cambodian History, Governance and legal sources,” *Hauser Global Law Program*, December 2013, accessed November 21, 2016, <http://www.nyulawglobal.org/globalex/Cambodia1.html#constitutionalandadministrative>

<sup>107</sup> Tuong Keilee, “Cambodian Constitutional Provisions on Treaties: A Story of Constitutional Evolution Beyond Rhetoric,” *Cambodian Yearbook on Comparative Legal Studies*, 2010, accessed November 21, 2016, [http://www.harvard-yenching.org/sites/harvard-yenching.org/files/HYI\\_-\\_KUONG\\_Teilee\\_Cambodian\\_Constitutional\\_Provisions\\_on\\_Treaties.pdf](http://www.harvard-yenching.org/sites/harvard-yenching.org/files/HYI_-_KUONG_Teilee_Cambodian_Constitutional_Provisions_on_Treaties.pdf).

To be consistent with his constitutional obligations, Hun Sen and his regime ceaselessly deny that there have been political prisoners in Cambodia, arguing that none of the prisoners have been charged with a political offense. Being aware of the association of political prisoners with repressive authoritarian regimes, the regime will not likely ever admit to having political prisoners;<sup>108</sup> acceptance of this would undermine its veneer of democracy. Instead, the regime craftily redesigns and utilizes legal instruments in its penal code to charge and arrest those who act against its interest.

The most common criminal offenses utilized against opposition members (in order of frequency) are:

Criminal Code Article 456 & 457 - Participating in an insurrectionary movement

Criminal Code Article 495 - Incitement to commit felony

Criminal Code Article 629 - Forgery of public documents

Criminal Code Article 218 - Intentional Acts of Violence

Criminal Code Article 459 - Leading and insurrectional movement

Criminal Code Article 503 - Obstruction of public official (once)

Criminal Code Article 548 - Bribery of a witness (once)

Criminal Code Article 496 - Incitement to discrimination (once)

Criminal Code Article 630 - Use of forged public documents (once)

Criminal Code Article 494 - Incitement to commit a crime<sup>109</sup> (once)

These commonly used charges are designed to directly incriminate those who exercise Freedom of Expression and other activities that are normal to consolidated democracies, such as political rallies, peaceful demonstrations, and informing individuals of their human rights. Two types of offenses listed above have been particularly

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<sup>108</sup> Ibid.

<sup>109</sup> Bunleng Cheung, trans., Criminal Code, Kingdom of Cambodia, accessed November 21, 2016



instrumental the regime's repression. Participation in an Insurrection Movement and Incitement are by far the most commonly used to incriminate opposition members. Among the 19 CNRP affiliated members whose cases are being tracked by LICADHO, Participation in an Insurrection Movement was used against the prisoners 14 times, and Incitement, 13 times.

In a series of new penal code provisions enacted in 2010, the government has given itself more power to specifically target Freedom of Expression. Article 523 was amended to sentence any person who criticizes a "judicial act or decision" up to six months in prison.<sup>110</sup> The most concerning laws under the new 2010 code include Article 522 – Publications of Comments intended to influence a court, Article 502 – Contempt, and article 495 – Incitement, which is the second most cited charge against opposition members. The scope of these laws are extraordinarily wide, criminalizing any criticism of the judiciary,<sup>111</sup> or acts as innocent as sharing a web article.

The impact of these vaguely worded laws are compounded by a weak and politicized judicial system. Cambodia's judiciary is not only subservient to the ruling party; it has been redesigned to further entrench within it the power of the regime. In May of 2014, reforms were put in place by the regime that empowered the minister of justice with discretion over all key decision-making in the judiciary. This put the Cambodia's judiciary completely in the hands of the regime, depriving it of the independence mandated in Cambodia's 1993 Constitution and international law.<sup>112</sup>

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<sup>110</sup> "New Penal Code a Setback for Freedom of Expression Issues," *LICADHO*, accessed November 21, 2016 <http://www.licadho-cambodia.org/pressrelease.php?perm=233>

<sup>111</sup> *Ibid.*

<sup>112</sup> "Cambodia: Withdraw Fundamentally Flawed Judicial System," *Human Rights Watch*, May 2, 2014, accessed November 22, 2016, <https://www.hrw.org/news/2014/05/03/cambodia-withdraw-fundamentally-flawed-judiciary-laws>

Importantly, these damaging reforms happened strategically ahead of the regime's July 2015 political shift and wave of political arrests. Flawed laws designed to favor the ruling party, wild interpretation of those laws, and a compliant judiciary was the perfect combination of instruments for the regime to neutralize its opposition through impunity and arbitration in the major crack down on the opposition, spurring the uptick of political arrests.

Transparency International has deemed Cambodia's judiciary its weakest branch. Judges operate with immense political pressure, and corruption is pervasive. Moreover, the Cambodian judiciary is inadequately funded; court officials are poorly trained and low-paid, making them susceptible to corruption and political influences. Now that prosecutors and judges are mostly CPP members appointed by the Ministry of Justice, as of the 2014 reforms, they are obliged<sup>113</sup> to rule in favor of the ruling party.<sup>114</sup>

For balance, it is important to recognize the government's own human rights endeavors. The Cambodian government's unit tasked with the establishment, protection, and development of human rights, according to its website, is the Cambodian Human Rights Committee (CHRC). The CHRC was established by a royal decree in January of 2000, and comprises of two subcommittees, the Inspection and Human Rights Education General Department, and the administration and complaints department. Despite its establishment over a decade ago, its website reports that the CHRC only held its first meeting on July 2, 2014. More peculiar is the website's apparent inconsistency with all

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<sup>113</sup> Judges and prosecutors who are appointed by the Minister of Justice have no choice but to carry out instructions of the ruling party. It is common that aspiring judges pay bribes to be admitted into the Royal University of Judicial Professionals, then pay more bribes to be appointed a position. Promotions and appointments are based on political patronage and bribery. (Maud Salber, "Judiciary the Weakest Link in Cambodia's Integrity System," *Transparency International*, September 29, 2014, <https://blog.transparency.org/2014/09/29/judiciary-the-weakest-link-in-cambodias-integrity-system/>)

<sup>114</sup> Maud Salber, "Judiciary the Weakest Link in Cambodia's Integrity System," *Transparency International*, September 29, 2014, <https://blog.transparency.org/2014/09/29/judiciary-the-weakest-link-in-cambodias-integrity-system/>

human rights reports from the world's leading human rights agencies such as Human Rights Watch; there is no evidence of acknowledgement that human rights issues exist in the country. Nor is there an articulation of how the government defines human rights, what types of rights it recognizes or reports of incidents. What's more curious is, all local activities posted on the website happened from 2012-2014. According to its website, the CHRC is, at best, a functioning department with an outdated website. At worst, it is but an artificial element that serves the government's larger democratic façade.<sup>115</sup>

### **International Legal Instruments**

The ruling party's entrenched powers over all levels and branches of government presents a grave challenge for human rights protections in Cambodia. Cambodia is a signatory of most international human rights treaties and conventions, including the International Covenant on Civil and Political Rights (ICCPR), The Universal Declaration of Human Rights (UDHR), and the ASEAN Charter. However, despite mandates of the protection of human rights in these international treaties and in its own constitution, Cambodian laws fall short of meeting human rights standards in all of the mentioned documents.<sup>116</sup>

Specifically, the regime's assault on political prisoners has brought forth serious violations of the ICCPR, making it the most salient of international instruments for human rights defenders concerned with political prisoners. The right to a fair trial and due process is outlined in Article 14 of the ICCPR, which states, "everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by

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<sup>115</sup> Royal Government of Cambodia.

<sup>116</sup> "Human Rights in Cambodia," *Civil Rights Defenders*, October 28, 2015, accessed November 26, 2016, <https://www.civilrightsdefenders.org/country-reports/human-rights-in-cambodia/>

law.”<sup>117</sup> Cambodia has failed to comply to these rights since its accession to the ICCPR for over two decades.<sup>118</sup>

The UN Human Rights Committee (HRC) has implemented the Cambodian Trial Monitoring Project, specifically tasked to monitor the implementation of the ICCPR. Their 2014 report identifies Cambodia’s lack of separation of powers as one of the gravest challenges to implementing rights to fair trial. The continued influence of the executive branch on the judiciary prevents enforcement of rights encompassed within the right to a fair trial, such as the presumption of innocence, the right to representation and to be present at the trial, the right to a public hearing, and the right to be convicted beyond a reasonable doubt. The HRC also highlights a number of substantive concerns list as priorities:<sup>119</sup>

- The lack of public notice of hearings
- The systematic failure of judges to inform and explain defendants of their rights
- The high numbers of hearings where defendants are not present
- When present, the percentage of cases where they appear in prison uniform

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<sup>117</sup> *International Covenant on Civil and Political Rights*, United Nations Office of the Commissioner of Human Rights, December 16, 1966, United Nations Office of the High Commissioner of Human Rights, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<sup>118</sup> “Report Documents Cambodian Government’s Ongoing Failure to Implement ICCPR,” *LICADHO*, March 3, 2015, accessed November 26, 2016, <http://www.licadho-cambodia.org/pressrelease.php?perm=377>

<sup>119</sup> “Fair Trial Rights in Cambodia: Monitoring at the Court of Appeal,” *Cambodian Center for Human Rights*, June 2014, accessed November 26, 2014, [http://www.cchrcambodia.org/admin/media/report/report/english/2014\\_06\\_23\\_CCHR\\_Report\\_Fair\\_Trial\\_Rights\\_at\\_the\\_Court\\_of\\_Appeal\\_\(ENG\).pdf](http://www.cchrcambodia.org/admin/media/report/report/english/2014_06_23_CCHR_Report_Fair_Trial_Rights_at_the_Court_of_Appeal_(ENG).pdf)

Especially problematic is the poor quality of evidence presented at trials, which compromises law and evidence-based judgements. In addition, the HRC asserts that sentencing practices and juvenile justice contain wider issues that need to be addressed.<sup>120</sup>

Another international instrument to which the regime is obliged, but whose laws do not honor, is the Universal Declaration of Human Rights (UDHR). As a member state of the United Nations, the Cambodian government is expected to uphold rights stated in the UDHR under the U.N. Charter.<sup>121</sup> Cambodia continues to violate these UDHR articles in particular:

Article 3 and 9 – The right to liberty, which includes the prohibition on arbitrary deprivation of liberty and arbitrary arrests and detention.

Article 5 -- Freedom from torture and other cruel, inhuman or degrading treatment or punishment.

Articles 10 and 11 – The right to a fair trial and the presumption of innocence.

Article 18 – Freedom of thought, conscience and religion.

Article 19 – Freedom of Expression, including freedom to hold opinions without interference.

Article 20 – Freedom of peaceful assembly and association.

The Cambodian government is also obliged to the Charter of the association of South East Asian Nations (ASEAN), which it has ratified. The ASEAN Charter stipulates among its binding principles, the “respect for fundamental freedoms, the promotion and protection of human rights, and the promotion of social justice.”

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<sup>120</sup> Ibid.

<sup>121</sup> *Universal Declaration of Human Rights*, The United Nations, Paris, December 10, 1948, [http://www.ohchr.org/EN/UDHR/Documents/UDHR\\_Translations/eng.pdf](http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf)

While the ASEAN charter does oblige Cambodia to uphold human rights standards, the charter does not stipulate monitoring, enforcement, or penalties. In practice, ASEAN privileges sovereign equality and noninterference in the interest of promoting regional cooperation. Because the organization avoids discord among member states, Cambodia faces no consequences for its human rights abuses from ASEAN.

## **Conclusion**

The emerging 2017-2018 election season looms upon a political dynamic that is uniquely volatile. Since mid-2015, the ruling regime has taken its most audacious measures yet to disable its opponents from organizing. Particularly disturbing is the regime's boldness in detaining key political opposition members with blatant disregard for human rights and democratic norms. More troubling is the regime's demonstrated capacity to resort to violence against its people when feeling threatened. Its tendency towards severe violence is situated in the dawn of a more informed, fervent citizenry that has proven more engaged than ever in the 2013 elections. Rhona Smith, the U.N. special rapporteur to Cambodia on human rights expressed "concern that Cambodia is dangerously close to a tipping point"<sup>122</sup> in light of the political instability.

Hun Sen has demonstrated an awareness of impending electoral rivalry in the 2018 election through his especially pronounced belligerence beginning July of 2015, marked by the upsurge of arrests of political arrests of opposition members. The United Nations must intervene to ensure that Cambodia's political opposition can participate in the democratic process of the 2018 election, which is fundamental to Cambodia's

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<sup>122</sup> Sothearin Yeang and Pagnawath Khun, "Political Animosity Pushes Cambodia Near 'Tipping Point': UN Envoy," *Radio Free Asia*, March 31, 2016, accessed December 31, 2016, <http://www.rfa.org/english/news/cambodia/political-animosity-pushes-cambodia-near-tipping-point-un-envoy-03312016164909.html>

development. These are my recommendations for steps the U.N. must take in order to achieve legal reform and the release of political prisoners in Cambodia:

1. The United Nations must adopt a resolution at the 34th Session of the Human Rights Council in Geneva in February of 2017 expressing the urgency of restoration of the human rights situation in Cambodia in light of the upcoming 2017-2018 election season. This resolution must
  - strongly express the condemnation of the diminished space for peaceful expression and association of civil society, human rights advocates, and political opponent, as well as politically motivated arrests and imprisonment.
  - demand the release of imprisoned dissenters, especially members of the opposition party in order to ensure the opportunity for a true democratic election.
  - implement reforms for an independent judiciary.

The resolution must emphasize Cambodia is held accountable for its obligations to the Paris Peace accords, in which it has committed justice, human rights, rule of law and true democracy. The resolution would be established as a progression of the warnings given to the Cambodian Government on the aforementioned concerns at the 33rd Session of the Human Rights Council in September of 2016.<sup>123</sup>

2. The deteriorating human rights situation in Cambodia must continue to be formally addressed at every Session of the Human Rights Council as necessary until the Office of the High Commissioner of Human Rights (OHCHR) finds that the

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<sup>123</sup> United Nations Web TV, series of 16 videos, “Human Rights in Cambodia – 34<sup>th</sup> Meeting, 33<sup>rd</sup> Regular Session Human Rights Council,” September 18, 2016, 1:22:46, <http://webtv.un.org/watch/id-human-rights-in-cambodia-34th-meeting-33rd-regular-session-human-rights-council-/5143373677001>

Cambodian government has met international standards in its protection of human rights. The council must emphasize:

- Cambodia's obligations to uphold the Paris Peace Agreements by restoring justice, human rights, rule of law and true democracy.
  - Cambodia's obligations to uphold the International Covenant on Civil and Political Rights to restore civilians' entitlement to a fair and public hearing by a competent, independent and impartial tribunal established by law.
  - Cambodia's obligations to uphold the Universal Declaration of Human Rights to restore liberty from torture and other cruel, inhuman or degrading treatment or punishment, the right to a fair trial and the presumption of innocence, the right to freedom of expression, and freedom of assembly and association.
3. The United Nations should incentivize the Cambodian government to implement important reforms for an independent judiciary by offering to assist with comprehensive training of members of the judiciary on international standards, including the court of appeals in adjudicating cases. While the United Nations does not have enforcement powers through its resolutions or its treaties, it can affect the decisions of the Cambodian government through incentives. This measure also offers the Cambodian government the opportunity to restore its relationship with the United Nations and supporting entities by engaging in a collaborative effort.
- Implementation of this initiative could be carried out by a coalition of entities comprised of the United Nations Office of Legal Technical Assistance, the Office of Legal Affairs (OLA), or similar U.N. bodies, and member states who are stakeholders in Cambodia's democratic success on



a voluntary basis, such as the United States, France, and the European Union.

## Appendix i

### Political Prisoners, Investigations by LICADHO<sup>124</sup>

	Name	Position	Sentence	Date of Imprisonment	Charge(s)
1.	Seang Chet	SRP Srok Commune council chief (elected)	5-10 years Not yet sentenced	April 24, 2016	*Bribery of a witness (Criminal Code Article 548)
2.	Um Sam An	CNRP member of parliament (elected)	2.5 years	April 11, 2016	*Incitement to commit a felony (Criminal Code Article 495) *Incitement to [racial] discrimination (Criminal Code Article 496)
3.	Norng Sarith	SRP commune council member (elected)	5-10 years Not yet sentenced	November 19, 2015	*Forgery of public documents (Criminal Code Article 629)
4.	Sok Sam Ean	CNRP supporter	5-10 years Not yet sentenced	November 19, 2015	*Forgery of public documents (Criminal Code Article 629)

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<sup>124</sup> Ibid.

5.	Hong Sok Hour	SRP senator (elected)	7 years	August 15, 2015	*Forgery of public documents (Criminal Code Article 629) *Use of forged public documents (Criminal Code Article 630) *Incitement to commit a crime (Criminal Code Article 494 & 495)
6.	Yea Thong	CNRP youth member	7 years	August 5, 2015	*Participation in an insurrectionary movement (Criminal Code Article 457) *Intentional Acts of Violence (Criminal Code Article 218) *Incitement to commit a felony (Criminal Code Article 495)
7.	Roeun Chetra	CNRP youth member	7 years	August 4, 2015	*Participation in an insurrection movement (Criminal Code Article 457) *Intentional acts of violence (Criminal Code Article 218) *Incitement to commit felony (Criminal Code Article 495)
8.	Yun Kimhour	CNRP youth member	7 years	August 4, 2015	*Participation in an insurrectionary movement (Criminal Code Article 457)

					*Intentional acts of violence (Criminal Code Article 218) *Incitement to commit a felony (Criminal Code Article 495)
9.	An Batham	CNRP youth member	7 years	July 21, 2015	*Participation in an insurrectionary movement (Criminal Code Article 456 & 457)
10.	Ke Khim	CNRP youth member	7 years	July 21, 2015	*Participation in an insurrectionary movement (Criminal Code Article 456 & 457)
11.	Khin Chamreun	CNRP Phnom Penh youth chief	20 years	July 21, 2015	*Participation in and leading an insurrectionary movement (Criminal Code Article 456, 457 & 459)
12.	Meach Sovannara	CNRP national election candidate	20 years	July 21, 2015	*Participating in and leading an insurrectionary movement (Criminal Code Article 456, 457, & 459)
13.	Neang Sokhun	CNRP Chhbar Ampov district youth leader	7 years	July 21 2015	*Participating in an insurrectionary movement (Criminal Code Article 456 & 457)
14.	Oeur Narith	CNRP public affairs department officer	20 years	July 21, 2015	*Participating in and leading an insurrectionary movement (Criminal Code Article 456, 457 & 459)

15.	Ouk Pich Samnang	CNRP supporter	9 years	July 21, 2015	*Participating in an insurrectionary movement (Criminal Code Article 456 & 457) *Intentional violence with aggravating circumstances (Criminal Code Article 218) *Obstruction of public official (Criminal Code Article 503)
16.	San Kimheng	CNRP Toul Kork district youth leader	7 years	July 21, 2015	*Participating in an insurrectionary movement (Criminal Code Article 456 & 457)
17.	San Seihak	CNRP youth member	7 years	July 21, 2015	*Participating in an insurrectionary movement (Criminal Code Article 456 & 457)
18.	Sum Puthy	CNRP Chhbar Ampov	7 years	July 21, 2015	*Participating in an insurrectionary movement (Criminal Code Article 456 & 457)
19.	Tep Narin	CNRP youth member	7 years	July 21 2015	*Participating in an insurrectionary movement (Criminal Code Article 456 & 457)

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