

## Civil and Political Rights

**Submitted by:** The Advocates for Human Rights, The Committee for Paris Peace Accords on Cambodia, Minnesota (CPPAC-MN)

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**Summary:** The Cambodian People's Party (CPP) continues to infringe on Cambodian's rights to freedom of expression, opinion, association and assembly. After the 2017 dissolution of the leading political opposition party, the Cambodian National Rescue Party (CNRP), the CPP has continued to bar opposition groups from political participation. The government has also passed additional measures restricting freedom of opinion and expression, targeting media outlets and increasing national online surveillance. Moreover, detention conditions in the country remain dangerous as overcrowding, infrastructure problems, and lengthy pretrial detention are commonplace.

## Cambodia continues to restrict freedom of speech and political participation.

- Ahead of the July 2023 elections, Cambodia's top opposition party, the Candlelight Party, was barred from participation due to a paperwork issue. The July 2023 national election, where the CPP won 120 of 125 seats, has been criticized as not being free and fair.
- Prime Minister Hun Sen threatened voters who posted videos of themselves spoiling the ballots in protest with legal repercussions. The National Election Committee website did not display a specific result count.
- Dozens of former CNRP officials have escaped the country, and the Special Rapporteur on Cambodia has reported receiving over 140 accounts of action taken by police or by courts against former CNRP members.
- CNRP co-founder Kem Sokha was sentenced to 27 years of house arrest in March 2023, and former acting President Sam Rainsy was charged under the lèse-majesté provision of the Criminal Code.
- Non-governmental organizations and civil society groups are prohibited from criticizing political parties during the election campaign period. The 2016 Law on Telecommunications includes up to 15 years of prison time for telecommunications use that causes "national insecurity," which has been used to restrict political freedom.

## The rights to freedom of assembly and association are severely limited, resulting in physical violence against and arbitrary detention of journalists and human rights defenders.

- In 2018, the National Assembly amended the Penal Code to add insulting the king (lèse-majesté) a new crime punishable with a fine and up to five years of prison and proposed additional amendments that suspend the right to vote and limit freedom of association and other political rights.
- Cambodia's COVID-19 Law passed in March of 2021 imposes prison time for violating quarantine guidelines. This law has been used to target journalists and demonstrators for allegedly obstructing this law.

- The government continues to arrest and detain human rights defenders, including union leader Rong Chhun, who was advocating on behalf of farmers, and his supporters. The OHCHR recorded 4,323 accounts of arbitrary detention relating to strikes under the COVID-19 law, with most detainees being women.
- Government officials have restricted the right to peaceful assembly, refusing certain groups the permission to organize gatherings or marches. Activists have been attacked by officers during demonstrations, arrested for participating or planning to participate in peaceful demonstrations, and reported being beaten in prison.
- The Fundamental Freedoms Monitoring Project (FFMP) reports that out of the 411 assemblies recorded between April 2018 and March 2019, authorities interfered with 113 assemblies and prohibited 22 assemblies.

### Freedom of expression is restricted through surveillance and media targeting.

- Independent newspapers Cambodia Daily and the Phnom Penh Post were both silenced in their reporting of government corruption, and the government has closed an opposition-aligned radio station as well as those broadcasting Voice of America and Voice of Democracy content.
- In August 2023, the Government blocked access to the independent media outlets Radio Free Asia, Kamnotra, and The Cambodia Daily, requiring internet service providers to block the outlets' websites and social media accounts.
- Journalists who have criticized the ruling party or report on the opposition have been arrested and charged with incitement, national security, and pornography crimes. Social media users have also been targeted.
- In 2021, the government issued the National Internet Gateway, which requires gateway operators to work with the government to regulate network connections that "that affect national income, security, social order, morality, culture, traditions and customs," which raises concerns on democratic freedom.
- Under the COVID-19 Law, there were 140 documented restrictions on freedom of expression, with 96 of those restrictions assessed as violations, including threats against journalists and government critics.

### Recommendations

- Protect civil society organization, human rights defenders, journalists, and opposition-party members, from harassment and arbitrary arrest by adopting legislative measures that prevent the harassment of such persons while exercising their rights to expression and association.
- Take necessary measures to ensure a free and independent media, including through the revocation of Article 13 of the Press Law and article 305 of the Penal Code.
- Take concrete action to ensure that conditions of arrest and pretrial detention meet international standards, including by reducing the length of time detainees spend in pretrial detention.
- Commit to a free and open political environment so that all eligible voters can exercise their right to vote and political parties can legally campaign and participate in elections.
- Take the necessary steps to repeal or amend all laws that limit the legitimate exercise of freedom of expression, assembly, and association, bringing Cambodia's domestic laws into full compliance with human rights standards.