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Cambodia Moves Toward Openness

After Jailing Critics, Premier Relents and Vows Reforms; Many Remain Cautious

By Ellen Nakashima
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SAMRONG DISTRICT, Cambodia -- Kem Sokha, president of the Cambodian Center for Human Rights, addressed a throng of 1,000 villagers, nuns and monks who had gathered recently at an ancient Hindu temple here to cheer his release from jail.

Many of them had put their thumbprints on a petition seeking his freedom. He thanked them, but he urged vigilance. "The situation is not that different from before," he said, the yellow ribbon on his safari suit symbolizing freedom of expression. "Don't be too happy."

Kem Sokha was among the activists and opposition politicians who have been detained during the past year and then released in recent weeks as the government of Prime Minister Hun Sen appeared to step back from its campaign to silence critics.

"The last six to eight weeks have been remarkable," U.S. Ambassador Joseph Mussumeli said in an interview. "There's still a lot to be done and the institutions need enormous strengthening, but the goodwill and the atmosphere is right for developing those institutions."

Hun Sen's government was rewarded last week when foreign donors meeting in Phnom Penh, the capital, pledged to give Cambodia at least \$600 million in aid this year, a 20 percent increase over last year. They said they were encouraged by economic progress and Hun Sen's conciliatory moves toward the political opposition, although they still were concerned about corruption.

Human rights groups contend that the boost in aid without stiff conditions sends the wrong signal to a government they say continues to harass activists and threatens journalists with prison even as it releases some imprisoned people. They say the government has failed to keep pledges to end illegal logging and prevent illegal land sales to officials and groups linked to the ruling party, prime issues among the rural poor who make up 80 percent of Cambodia's population.

"This is a decade-old pattern: assurances by the government right before donor meetings, followed by a return to the old ways afterward," said Basil Fernando, executive director of the Hong Kong-based Asian Human Rights Commission.

Hun Sen, who has been the sole prime minister since 1998 and will be up for reelection in 2008, has renewed a promise that a long-delayed anti-corruption law would pass soon. He also has pledged to set up a land dispute resolution committee.

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"If Hun Sen fails, I am not sure who can have more success than Hun Sen," he told the meeting of donors -- representatives of 12 countries and institutions such as the World Bank, Asian Development Bank and the European Commission. He said he had the power to remove corrupt governors and police chiefs and send them to court.

Over the past year, however, he has used that power to silence critics. The government stripped opposition leader Sam Rainsy and two colleagues of parliamentary immunity. Sam Rainsy fled into exile and was sentenced to 18 months in prison in absentia for criminal defamation. One of his colleagues was accused of setting up an illegal army and sentenced to seven years. A radio journalist and a union leader were jailed on charges of defaming Hun Sen. Kem Sokha and a fellow human rights activist were jailed on defamation charges. A few days later, Kem Sokha's deputy was arrested and faces a similar charge.

The U.N. human rights envoy for Cambodia said the country was on the brink of totalitarianism. Western editorials decried it as a dictatorship. Human Rights Watch compared it to Burma, which is ruled by a military junta.

Then Hun Sen appeared to reverse course. On Jan. 10, a human rights activist was released on bail. A week later, Kem Sokha and three others were freed. In February, Sam Rainsy's colleague was released. A few days later, with a pardon deal in hand, Sam Rainsy returned to Cambodia. On Valentine's Day, Hun Sen called for the decriminalization of defamation. He has begun discussing with Sam Rainsy what the opposition figure has said are "solutions to national issues."

"The prime minister's moves to release people who never should have been arrested in the first place should not be seen as meaningful progress," said Sidiki Kaba, president of the Paris-based International Federation for Human Rights.

In public forums around the country -- organized by the U.S.-funded Cambodian Center for Human Rights -- villagers have been airing concerns about corrupt officials, abuses of power and inadequate services.

At a forum last month in Kampong Chhnang province, north of the capital, speaker after speaker complained about land confiscated by local officials or groups backed by local officials belonging to Hun Sen's Cambodian People's Party.

Kong Nem, 45, a widow whose left foot was blown off by a land mine in 1986, spoke of how excavators appeared one day in 2004 and cleared a 300-acre field that her village had farmed for years. The village chief and his Cambodian People's Party cronies had sold the tract to a company for an acacia tree farm, she said.

The villagers took the matter to the provincial court, which suggested they be paid compensation. "We don't want money," she told the forum audience, nearly shouting. "We just want our land."

Her village, a three-hour truck ride from the capital, is a collection of thatched huts with no electricity or running water. Seventy families once grew watermelons, beans, cauliflower and potatoes in the field. Now, she said, they face hunger.

In desperation, about 100 villagers piled into two trucks and headed to the capital last July, Kong Nem said. They camped in front of the National Assembly. Two days later, the police ordered them to leave. When they refused, the police wielded electric batons, she said.

"They shocked us," she recalled. "We lost consciousness. They threw us in the truck. It was so unjust."

Outside Sam Rainsy's party headquarters, dozens of villagers from several provinces have camped for days, seeking help in resolving land conflicts. They have come in threes and fours, hiding their mats and cooking pots in bags so the police would not arrest them on suspicion of plotting a protest.

Tith Sophat, 43, a rice farmer, arrived from faraway Battambang province to protest the December razing of 89 villagers' homes and fields by the military. "The soldiers pointed a gun at me," he said. "They said, 'If you protest, you will die.' The powerful people just want to get the land to sell to business people."

Tith Sophat said he was staying until he had a letter from Hun Sen saying the land was theirs. "If not," he said, "I will not return."

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Editorial

Dictatorship in Cambodia

Prime Minister Hun Sen has hardly run Cambodia as a democracy. But now he seems intent on extinguishing what liberty remains. Seth Mydans reported in *The International Herald Tribune* recently that Mr. Hun Sen is waging political war against human rights groups and political opponents, largely through misuse of defamation laws.

Three prominent human rights activists have been arrested in recent weeks, joining two others facing similar charges. And several other opponents of the government have fled the country, among them the leader of the only significant opposition party. This is clearly a man working to keep his nation under the weight of dictatorship.

Unfortunately, in Cambodia, as in a growing number of other countries, whatever Western leverage was left after the 1970's is being eroded by the economic rise of China. Beijing has become the biggest investor in Cambodia, and doesn't give a hoot about human rights. Western donors are reluctant to put new conditions on aid to one of the poorest and most battered countries in the world.

But there are still things they can do. They must make it clear to Mr. Hun Sen that they don't believe in the legal cover he has thrown over his ambition, and that they firmly oppose his campaign to curtail democracy. Western governments must make sure that the proposed United Nations human rights monitoring council does not reproduce the flaws of the current, discredited Human Rights Commission by deferring to countries that violate rights.

Washington supports the idea of the new council, but its envoy, John Bolton, proposed including the five permanent members of the Security Council as permanent members of the rights council. That plays into the hands of China, which would gain a secure perch from which to neutralize any U.N. action against allies like Cambodia.

Crackdown in Cambodia

Prime Minister Hun Sen moves to further consolidate power.

Seth Mydans

THE HARSHTEST political crackdown in years is under way here in what some analysts are calling the final stage in Prime Minister Hun Sen's drive to consolidate unchallenged power.

Over the past year, he has choked off the last effective political opposition while continuing to marginalise the monarchy, manipulate the courts, and intimidate labour unions and other civic groups. In December, the leader of the only significant opposition party, Sam Rainsy, who had already fled the country, was sentenced *in absentia* to 18 months in prison for criminal defamation.

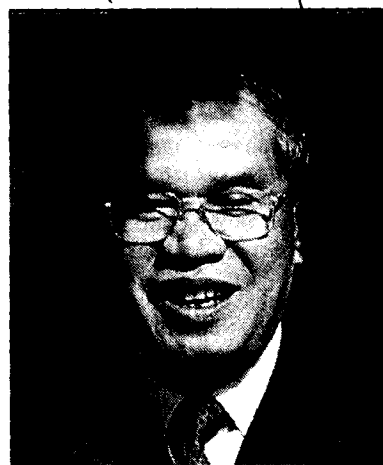
Now, with a series of arrests and lawsuits on defamation and related charges, Mr. Hun Sen is for the first time directly attacking the human rights groups that, by default, serve as a *de facto* democratic opposition.

"Cambodia right now is at a crossroads: It must decide whether it's going to be a real democracy or whether it's going to move inexorably toward a one-party state," said the U.S. Ambassador, Joseph Mussomeli.

The special U.N. envoy for human rights in Cambodia, Yash Ghai, said only strong action from the foreign countries that support Cambodia's economy could stop the slide.

"It has all the hallmarks of the beginning of a totalitarian regime," he said.

Many analysts say they are puzzled by



Cambodia's Prime Minister Hun Sen ... marginalising the opposition. - PHOTO: REUTERS

Mr. Hun Sen's crackdown when his leadership already seems unassailable. But in a country where political life is an endless struggle for power, Mr. Hun Sen seems never to rest.

Mr. Hun Sen could contend that he had mellowed. No tanks have been in the streets and no wave of killings has occurred as was the case during the coup in 1997 when he seized sole leadership from Norodom Ranariddh, the co-prime minister installed during the U.N. intervention. —New York Times News Service

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S. E. Sen Cambodia

Cambodian Leader Cracks Down in Bid to Solidify Power

By SETH MYDANS

9/1/2006

By SETH MYDANS

PHNOM PENH, Cambodia, Jan. 8 - The harshest political crackdown in years is under way here in what some analysts are calling the final stage in Prime Minister Hun Sen's drive to consolidate unchallenged power.

Over the past year, he has choked off the last effective political opposition while continuing to marginalize the monarchy, manipulate the courts and intimidate labor unions and other civic groups. In December, the leader of the only significant opposition party, Sam Rainsy, who had already fled the country, was sentenced in absentia to 18 months in prison for criminal defamation.

Now, with a series of arrests and lawsuits on defamation and related charges, Mr. Hun Sen is for the first time directly attacking the human rights groups that, by default, serve as a de facto democratic opposition.

"Cambodia right now is at a crossroads: It must decide whether it's going to be a real democracy or whether it's going to move inexorably toward a one-party state," said the American ambassador, Joseph Mussomeli.

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It has all the hallmarks of the beginning of a totalitarian regime," he said.

The human rights groups are the most substantial and lasting legacy of a major international effort by the United Nations in the early 1990's to implant democracy in Cambodia, a nation wrecked by war, repression and mass killings.

From 1975 to 1979, the Communist Khmer Rouge caused the deaths of 1.7 million people, nearly one-fourth of the nation's population. In the decade that followed, Cambodia was ruled by a Vietnamese-backed Communist government in which Mr. Hun Sen rose to leadership.

By staging a coup in 1997, intimidating opponents, manipulating elections and cutting constitutional corners, Mr. Hun Sen has moved steadily to reclaim the full powers he held before the United Nations intervention.

The forms of democracy remain. A parliamentary election is to be held in 2008. And Mr. Hun Sen noted

that he had not taken action against Mr. Sam Rainsy's party, just against Mr. Sam Rainsy.

Those forms, however, do not compensate for a policy of intimidation, the American ambassador said. "They have scared the hell out of the opposition, and it becomes more difficult to take these trappings of democracy as the real thing each time another voice is silenced," Mr. Mussomeli said.

He spoke after witnessing the arrest on Dec. 31 of the country's most prominent and outspoken human rights figure, Kem Sokha, on a charge of criminal defamation.

Mr. Kem Sokha was nonpartisan, but his town meetings on democratic rights and his unfettered radio call-in shows challenged the government's control of public opinion.

A second human rights campaigner, Yeng Virak, was arrested the same day. A third, Pa Nguon Teang, was arrested Wednesday. In October, a popular and acerbic radio journalist, Mom Sonando, and the president of an independent teachers union, Rong Chhum, were arrested on defamation charges.

At least seven other critics face criminal lawsuits by Mr. Hun Sen and at least five critics have fled the country, said Human Rights Watch, the New York-based monitoring group.

Mr. Sam Rainsy, the leader of the opposition party that bears his name, fled to France after being stripped of his parliamentary immunity early last year. A second top party official also fled, but a third, Cheam Channy, stayed behind, was arrested and is serving a seven-year prison sentence for his opposition activities.

Many analysts say they are puzzled by Mr. Hun Sen's crackdown when his leadership already seems unassailable. But in a country where political life is an endless struggle for power, Mr. Hun Sen seems never to rest.

This time he is using a tactic that has worked well for Singapore's leaders and is being tried by Prime Minister Thaksin Shinawatra of Thailand - eliminating opposition through lawsuits.

The government spokesman, Khieu Kanharith, offered one rationale, telling the Voice of America radio station that the arrests on defamation charges were part of the country's democratic system.

"We have to sue them," he said. "The most important thing is the general election. And in a general election in Cambodia and everywhere in the world, your prestige would be a great asset."

Mr. Hun Sen said he was filing his lawsuits to protect his own reputation. "I am a human being, not an animal, and deserve to have my honor and dignity," he said.

Mr. Hun Sen could contend that he had mellowed. No tanks have been in the streets and no wave of killings has occurred as was the case during the coup in 1997 when he seized sole leadership from Norodom Ranariddh, the co-prime minister installed during the United Nations intervention.

But even during the coup, civil society and human rights groups, with their strong backing from donor nations, were, for the most part, not targets.

"This has been the first breach of the human rights community's wall of safety," said Brad Adams, the Asia director of Human Rights Watch. "And so for the human rights community this is the darkest moment."

Over the years, these groups have embedded themselves in Cambodian life, where, particularly in isolated communities, they often represent people who distrust the police and fear powerful officials.

"Look at the grass roots, what can people do?" said a Cambodian reporter who, in the current atmosphere of uncertainty, spoke on the condition that his name not be used.

"If there is a land grab, they don't go to the police first," he said. "They go to Adhoc or Licadho" - two prominent human rights groups.

"In the village, if a husband beats his wife, she runs to Adhoc, not to the police," he said. "So the government does not enjoy the way these two groups help people fight for their rights, for freedom and justice."

And as he traveled around the country holding seminars with local people, the reporter said, "Kem Sokha was telling people about their rights."

At the time of his arrest, Mr. Kem Sokha said he had expected eventually to be arrested, exiled or killed. The determination of people like this is inspiring, said Naly Pilorge, a Licadho leader.

"It's funny with a country like Cambodia, with the history of the Khmer Rouge, you just go, 'Boo!' and people are afraid," she said. "And now you see these great displays of courage. And they knew something was going to happen to them sooner or later, and they just kept going."