



Cambodia: Chokehold on basic freedoms tightens January 25, 2011

The Cambodian government tightened restrictions on fundamental freedoms in 2010, making it increasingly difficult and risky for human rights defenders, land rights activists, and trade unionists to operate, Human Rights Watch said today in its *World Report 2011*.

The 649-page report, Human Rights Watch's 21st annual review of human rights practices around the globe, summarizes major human rights trends in more than 90 countries and territories worldwide. During 2010, Human Rights Watch said, the Cambodian government increasingly ignored or dismissed human rights concerns of United Nations agencies and international donors that have made significant contributions to the country's budget for years. Instead, Prime Minister Hun Sen rebuked UN officials, threatening to expel the UN resident coordinator and the UN human rights office director in Phnom Penh.

"The Cambodian government has used bluster and intimidation to push the UN and donors into silence about abuses," said Phil Robertson, deputy Asia director at Human Rights Watch. "The international community needs to advocate more forcefully for the human rights of the Cambodian people."

The year started with the forced return of 20 ethnic Uighur asylum seekers to China, where they were at risk of torture. This flagrant violation of Cambodia's obligations under the 1951 Refugee Convention was made over strenuous protests by key donors and UN agencies. In March, Hun Sen threatened to expel Cambodia's UN resident coordinator for calling for greater transparency in passage of an anti-corruption law. In October in a meeting with UN Secretary-General Ban Ki-moon, Hun Sen demanded the closure of the UN human rights office in Phnom Penh unless the UN dismissed its country representative, whom the government accused without evidence of supporting the opposition.

A new penal code contains draconian and vaguely defined provisions that permit criminal prosecution for peaceful expression. Shortly after the law went into effect in December, a World Food Program staff member was sentenced to prison on politically motivated incitement charges. Laws being drafted to regulate nongovernmental organizations and trade unions are expected to restrict their ability to exist, operate, and organize activities, in violation of the rights to freedom of association and assembly. Even without these restrictive laws, authorities regularly use force to disperse peaceful protests. "The Cambodian government is using laws to restrict political space for activists who peacefully speak out against government misconduct and corruption," Robertson said. "The government should recognize its obligations to protect peaceful political speech, and not persecute those who exercise that right."

The repressive laws are implemented by a wholly pliant judiciary controlled by the government, which made no efforts during 2010 to improve judicial independence. Instead, the government used the courts to bring politically motivated prosecutions against opposition party members. In January, the opposition leader Sam Rainsy was sentenced in absentia to two years in prison in a closed trial on charges of racial incitement and destroying border demarcation posts. In September, he was sentenced to an additional 10 years in prison on trumped-up charges of "disinformation" and falsifying maps.

The credibility of the UN-backed Khmer Rouge Tribunal was undermined by political interference from the highest levels of government. While meeting with Secretary-General Ban in October, Hun Sen stated that the court would prosecute only the four Khmer Rouge leaders in custody, even though the tribunal's international co-prosecutor had submitted the names of six additional suspects for indictment in 2009.

"The UN and donors need to be much more vigilant and vocal in challenging political interference with the Khmer Rouge Tribunal so that it can do its work independently and impartially," Robertson said.

Illegal land confiscation and forced evictions escalated during 2010, putting the livelihood of millions of urban and rural poor at risk. Land rights activists faced violence and arrest, with more than 60 people jailed or awaiting trial for protesting forced evictions and land grabbing.

Throughout the year the government arbitrarily detained sex workers, people who use drugs, homeless people, and the mentally ill in government-run Social Affairs Centers or drug detention centers, where they are subject to beatings and other serious abuses. More than 2,000 people have been arbitrarily detained in 11 government-run drug detention centers. Although they are mandated to treat and "rehabilitate" drug users, the centers subject detainees to violence, forced labor, and military-style drills. Many detainees are children or people with mental illnesses.

Women and girls involved in sex work, including transgender women, face beatings, rape, sexual harassment, extortion, arbitrary arrest, and detention by police, government-hired security guards and Social Affairs Center employees. Homeless people, beggars, the mentally ill, and other indigent people gathered in police sweeps are also detained and mistreated in these centers. "Cambodia's donors need to wake up and recognize that the human rights situation in Cambodia is rapidly deteriorating," Robertson said. "They should demand that the government abide by its human rights obligations, and they should be front-line defenders of civil society against government intimidation."