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Silencing Cambodia's honest brokers

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WASHINGTON — This year is the 20th anniversary of the Paris peace accords that ended the Cambodian war and any further threat from the murderous Khmer Rouge. It required all the major powers — the United States, leading European countries, the former Soviet Union and China — as well as most Asian nations to come up with an accord, a rare achievement. In a speech last week, Gareth Evans said that during his eight years as the Australian foreign minister “nothing has given me more pleasure and pride than the Paris peace agreement concluded in 1991.”

I reported from Paris on the negotiations, which took several years of convoluted diplomacy since few countries or political parties had clean hands in the rise and fall of the Khmer Rouge. When the deal was finally signed in October of 1991 there were self-congratulations all around, champagne and a huge sigh of relief that Cambodia could move on to peace and democracy.

It didn't turn out that way. Cambodia today is essentially ruled by a single political party with little room for an opposition, has a weak and corrupt judiciary, and the country's most effective union leaders have been murdered.

That wasn't the scenario envisioned in Paris. Now, just as 20th anniversary commemorations are approaching, one of the few groups still enjoying the freedoms created under the peace accords are about to be silenced. The government of Cambodia is poised to enact a law that will effectively hamstring the country's lively civil society and NGOs, among the last independent voices in Cambodia.

In Paris, the framework for Cambodia's democracy was a much debated element of the peace accords. That debate led to Cambodia's Constitution and its guarantee of freedom of association and speech. The proposed law on civil society would deprive these independent Cambodian groups of those rights and undermine much of their work representing the country's most vulnerable citizens — advocating for their rights and dispensing aid, largely paid for with foreign donations. Most recently, these civil society groups exposed the government's eviction of the poor from valuable land in Phnom Penh. As a result, the World Bank is suspending all new loans to Cambodia until those made homeless receive proper housing.

Under the new law, these independent citizen groups would have to register with the government and win approval to operate under vague criteria; if the government disapproves of a group's behavior it can dissolve it using equally vague criteria. There

would be no right of appeal.

The normally fractious Cambodian civil groups have joined together against the new law and asked the government for serious amendments to protect basic constitutional rights. They were rejected and only superficial changes were made. With little time left, one of their NGO leaders made an emergency trip to Washington to meet with international organizations, foreign embassies and the U.S. government, asking them to speak out loudly against the measure before it passes in the coming weeks.

“If this law is passed we will be silenced. Foreign donors will give us less money. The people who will suffer are the poor,” said Borithy Lun, the head of the Cooperation Committee for Cambodia. He led a meeting at the offices of Oxfam America, where I am a member of the board of directors. The law would diminish the ability of international NGOs, like Oxfam, to help the poor in Cambodia as well, since it requires all foreign nonprofit organizations to work directly with official agencies, essentially becoming an arm of the government.

All of this will have a direct impact on Cambodia’s impressive economic gains. Foreign businesses have come to rely on Cambodia’s civil society groups to act as honest brokers, pointing out the pitfalls in an economy marked by corruption and weak law enforcement. Foreign governments and institutions have already warned the Cambodian government that if the proposed civil society law is passed, they will rethink the \$1 billion in aid given to Cambodia every year, which is roughly half of the country’s budget. Secretary of State Hillary Rodham Clinton has spoken up repeatedly in favor of strong, independent civil societies and Cambodia has made no secret of its desire to continue improving relations with the United States.

As the commemorations of the Paris peace accords begin, with more champagne and seminars, instead of looking backward to past glory, it might be better to focus on today and reinforce the accords. Countries that are rightfully proud of their role in bringing peace to Cambodia are in a good position to require preserving the independence of civil society when Cambodia comes asking for their votes at the United Nations this fall.

The Cambodian government has two big objectives: It wants to win one of the nonpermanent seats on the United Nations Security Council, and to get the United Nations to help resolve the Thai-Cambodia border dispute centered on the temple of Preah Vihear. Cambodia has dispatched senior diplomats to countries large and small to win their votes and has initiated border talks with the government of the new Thai prime minister, Yingluck Shinawatra. The price for greater influence and prestige in the world should be reinforcing democracy, not diminishing it.