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08 March 2007

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Cambodia: Treatment of members of the Sam Rainsy Party (SRP) by government authorities and members of the Cambodia People's Party (CPP) (May 2003 - February 2007)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Reports on the treatment of the opposition Sam Rainsy Party (SRP) maintain that members have been subject to "state-sponsored intimidation" (Freedom House 2006) and violence (AHRC 21 Dec. 2006) in connection with elections (ibid.; Freedom House 2006). Prior to the July 2003 general elections, for example, Freedom House reports that there were "at least" 14 killings and that the killings continued during the 11-month negotiations that followed when the Cambodia People's Party (CPP) failed to win the two-thirds majority needed to govern alone (ibid.). One month before the 2003 election, the International Republican Institute (IRI) - a non-profit, non-partisan group that works to advance freedom and democracy worldwide - also told the United States (US) House International Relations Committee that there were "widespread reports of political violence and intimidation" that included burning the houses of party activists (IRI 10 June 2003).

The "routine" violation of laws designed to protect the political process, violence directed against opposition candidates, and the fact that the state-owned media does not treat all parties equally, led the Washington-based, non-profit National Democratic Institute for International Affairs (NDI) to question if the CPP would accept any rule of fair play that "threatens its position of dominance" (NDI 2003, iii, 51).

In lookingback at the earlier general elections of 1998 (AHRC 21 Dec. 2006; Freedom House 2006) and commune (local government) elections of 2002 (NDI 2003, 44; see also Freedom House), both the Hong Kong-based Asian Human Rights Commission (AHRC), which has been promoting human rights in the region since 1996 (AHRC n.d.), and Freedom House note that the level of violence has decreased (ibid. 21 Dec. 2006; Freedom House 2006). The US *Country Reports on Human Rights Practices for 2005* reports that in 2005, unlike in previous years, there were "no reports of politically motivated killings" (8 Mar. 2006, Sec. 1.a). In 2006, *Country Reports* similarly indicates, no politically motivated killings were perpetrated by "the government or its agents" (US 6 Mar. 2007, Sec. 1.a).

The second communal elections to elect council members will be held in Cambodia in April 2007 (VOA 22 Aug. 2006) and general elections, which are held every five years (NDI 2003, 42), will take place the following year (AHRC 21 Dec. 2006, Sec. 2). *Country Reports* states that the government has arrested some opposition party members, civil society leaders and human rights activists in an attempt to "neutralize" its critics (US 8 Mar. 2006). The AHRC reports that political parties other than the CPP are being prevented from "freely carrying out their activities" in the lead-up to the elections (ibid.). Likewise, Freedom House reports that "[s]tate-sanctioned political violence" continues to take place, "generally with impunity" (2006). The situation has prompted Amnesty International (AI) to call for an end to the "harassment and intimidation" of opposition party members (AI 2 Mar. 2006).

Specific instances of killings and intimidation since the 2003 election include the murder of union activist Chea Vichea (AHRC 21 Dec. 2006, Sec. 3) in 2004 (US 8 Mar. 2006, Sec. 1.a; HRW 30 June 2004). Vichea is reported to have been critical of the government (AHRC 21 Dec. 2006, Sec. 3) and to be an SRP supporter (HRW 30 June 2004). AI has expressed concern that the two men charged with Vichea's murder are in fact victims of a "deeply flawed criminal investigation and a trial that fell far short of international fair trial standards" (AI 28 Jan. 2007). AI indicates that it believes the true killers are still at large (ibid.).

The murder of Vichea in 2004 was "one in a series of political killings" that included three other SRP activists (HRW 30 June 2004). As reported by the AHRC, in October 2006 an SRP activist was killed, allegedly by the governor's brother (AHRC 21 Dec. 2006, Sec. 2). Two other SRP members were also murdered that year (ibid.). According to the AHRC, there is a widespread belief that the deaths of the two SRP members were politically motivated, although the police deny it (ibid.). The year 2006 also saw an SRP commune councillor reportedly attacked by two police officers who used their rifle butts as weapons (ibid.). The SRP Web site also indicates that in 2006, political candidates in two communes were threatened and intimidated by local authorities, police and election officials (SRP 10 Jan. 2007).

Sources also present examples of villagers who have been pressured or threatened into voting for the CPP (IRI 10 June 2003; VOA 22 Aug. 2006; AHRC 21 Dec. 2006, Sect. 2). In 2003, the IRI, for example, indicated that village chiefs, who have "substantial influence" over the lives of villagers, have been known to pressure villagers into voting for the CPP (10 June 2003). One way they did this, the IRI states, is by collecting voter registration cards "to prevent villagers from voting or to cast doubt on the secrecy of the ballot" (IRI 10 June 2003). The AHRC also reports that some commune officials have forced people to vote for the CPP (21 Dec. 2006, Sec. 2). In 2006, an SRP supporter told Voice of America (VOA) that a village chief in Takeo province has threatened to deny villagers access to water for irrigation in the dry season if they refuse to support the CPP in the upcoming communal elections (VOA 22 Aug. 2006).

No information on how CPP members treat members of the SRP could be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Representatives from the Canada-Asia Pacific Research Network, International Republican Institute, Leeds, the National Democratic Institute for International Affairs (NDI) and Sophia University did not provide information within the time constraints of this Response.

Publications: *Europa World Year Book*, *Political Handbook of the World*, *Political Parties of the World*.

Internet sites, including: British Broadcasting Corporation (BBC), Cambodian Human Rights Action Committee, United States House of Representatives.