Freedom House

FREEDOM IN THE WORLD 2020

Cambodia

NOT FREE

25 /100

Political Rights	5 /40
Civil Liberties	20 /60

LAST YEAR'S SCORE & STATUS

26 /100 Not Free

Global freedom statuses are calculated on a weighted scale. See the methodology.

Overview

Cambodia's political system has been dominated by Prime Minister Hun Sen and the Cambodian People's Party (CPP) for more than three decades. While the country conducted semicompetitive elections in the past, the 2018 polls were held in a severely repressive environment. Since then, Hun Sen's government has maintained pressure on opposition party members, independent press outlets, and demonstrators with intimidation, politically motivated prosecutions, and violence.

Key Developments in 2019

- Security forces interfered with public assemblies and demonstrations commemorating the third anniversary of activist and commentator Kem Ley's murder in July. Three participants who visited the site of his death were arrested, and one was subsequently charged with incitement to commit a felony.
- Hun Sen's government continued targeting key members of the opposition Cambodia National Rescue Party (CNRP), which was banned in 2017. In March, a court charged eight of its top officials, including leader Sam Rainsy, with treason. The government also banned Rainsy from reentering the country in November; he fled to France to avoid politically-charged charges in 2015. Kem Sokha, another top member of Rainsy's party, was released from house arrest in November, but remained under indictment on charges of treason originally announced in 2017.
- Judges sitting in the Extraordinary Chambers in the Courts of Cambodia (ECCC), which oversees the trials of surviving members of the genocidal Khmer Rouge regime, reached an impasse in December over whether to hear the case of a defendant charged with committing genocide against a Muslim group.

Political Rights

A. Electoral Process

A1 0-4 pts	
Was the current head of government or other chief national authority elected through free and fair elections?	**0** / 4

King Norodom Sihamoni is chief of state, but has little political power. The prime minister is head of government, and is appointed by the monarch from among the majority coalition or party in parliament following legislative elections. Hun Sen first became prime minister in 1985. He was nominated most recently after 2018 National Assembly polls, which offered voters no meaningful choice. Most international observation groups were not present due to the highly restrictive nature of the contest.

A2 0-4 pts	
Were the current national legislative representatives elected through free and fair elections?	**0** / 4

The bicameral parliament consists of the 62-seat Senate and the 125-seat National Assembly. Members of parliament and local councilors indirectly elect 58 senators, and the king and National Assembly each appoint 2. Senators serve six-year terms, while National Assembly members are directly elected to five-year terms.

In 2018, the CPP won every seat in both chambers in elections that were considered neither free nor fair by established international observers, which declined to monitor them. In the months before the polls, the Supreme Court had banned the main opposition CNRP, jailed many of its members, closed media outlets, and intimidated journalists to the extent that there was almost no independent

reporting on the campaign or the polls. Several small, obscure new "opposition parties" ran candidates in the lower house elections, though many of the parties were widely believed to have been manufactured to suggest multiparty competition. Following calls for an election boycott by former CNRP leaders, Hun Sen repeatedly warned that people who did not vote in the election could be punished.

The election was condemned by many democracies. The United States responded by imposing targeted sanctions on Cambodian leaders, while the European Union (EU) threatened to roll back a preferential trade agreement; the agreement's status remained under consideration in 2019.

A3 0-4 pts	
Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	**1** / 4

In 2015, Cambodia passed two new election laws that permit security forces to take part in campaigns, punish parties that boycott parliament, and mandate a shorter campaign period of 21 days. The laws have been broadly enforced.

Voting is tied to a citizen's permanent resident status in a village, township, or urban district, and this status cannot be changed easily. In 2017, an amendment to the electoral law banned political parties from association with anyone convicted of a criminal offense.

The National Election Committee (NEC) was reformed in 2013, but the CPP has since asserted complete control over its nine seats. The four NEC members affiliated with the CNRP resigned following the party's 2017 dissolution. In 2018, the NEC sought to aid the CPP's campaign by threatening to prosecute any figures that urged an election boycott, and informing voters that criticism of the CPP was prohibited.

B. Political Pluralism and Participation

B1 0-4 pts	
Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	**0** / 4

Following the 2018 elections, Cambodia is a de facto one-party state. The main opposition CNRP was banned and its leaders have been charged with crimes, while other prominent party figures have fled the country. Although several small opposition parties contested the July 2018 lower house elections, none won seats. All of the smaller parties were permitted to run by the CPP-controlled NEC, and both domestic and international observers widely questioned their authenticity.

Hun Sen's government continued targeting key members of the CNRP in 2019. In March, a court issued arrest warrants against eight officials, including leader Sam Rainsy, after they were charged with treason and incitement to commit a felony. The charges, which the group denied, were issued after Rainsy made a public pledge to return to the country earlier in the year.

In 2019, Rainsy, who left Cambodia in 2015 after he was convicted of criminal defamation, attempted to return on November 9, the country's independence day. Prime Minister Hun Sen reacted to Rainsy's announcement by accusing him of launching a coup d'état, deploying the army, and calling on neighboring countries to bar Rainsy from entering. Cambodia also barred the CNRP's vice president, Mu Sochua, from traveling back to the country that same month; she fled to the US after Hun Sen's government banned the party in 2018, and was charged with treason along with Rainsy in March.

The government also continued its prosecution against CNRP official Kem Sokha, who was originally accused of treason in 2017. The government's allegations come from a 2013 speech in which he disclosed receiving US training on building grassroots support. Kem Sokha, who maintains his innocence, spent a year in solitary confinement before he was released on bail in late 2018. In November 2019, he was freed from house arrest, but remained under court supervision ahead of his impending trial.

B2 0-4 pts	
Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	**0** / 4

The political opposition has been quashed. The high rate of spoiled ballots in the 2018 lower house election—8.6 percent of all votes, according to the NEC—suggested strong popular discontent with the lack of choice, especially given that Hun Sen had repeatedly warned Cambodians not to spoil ballots.

After the elections, amid increasing international scrutiny, Hun Sen and the CPP modestly eased pressure on the opposition. In August 2018, the king pardoned 14 CNRP members who had been jailed for "insurrection." CNRP official Kem Sokha was released on bail later that year, after spending a year in solitary confinement on charges of treason. The government reversed course when Rainsy attempted to return to Cambodia in November 2019, arresting over 70 opposition activists that month and charging them with plotting to overthrow the government. Prime Minister Hun Sen ordered their release later in November, after Rainsy was rebuffed in his efforts.

While CNRP members were most intensely targeted during the government's efforts to keep Rainsy out of the country, they have been subject to arrests and violence throughout 2019. In April, Tith Rorn, the son of a CNRP activist, died while in custody; the authorities claimed that the man died in a fall, but the activist's body bore multiple bruises and a broken neck. Opposition activist Sun Thun, who was

previously fired from his teaching role after he became a local CNRP official, was assaulted by unknown assailants in late June, shortly after members of the ruling CPP pressured him to defect. Activist Mai Hongsreang, who was arrested in July, was charged with incitement and insult after writing a social media post about the apparent infighting between Hun Sen and his interior minister.

B3 0-4 pts	
Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	**1** / 4

The ruling party is not democratically accountable, and top leaders, especially Hun Sen, use the police and armed forces as a tool of repression. The military has stood firmly behind Hun Sen and his crackdown on opposition. Hun Sen has built a personal bodyguard unit in the armed forces that he reportedly uses to harass and abuse CPP opponents.

B4 0-4 pts	
Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?	**1** / 4

Ethnic Vietnamese are regularly excluded from the political process and scapegoated by both parties. Women make up 15 percent of the National Assembly, but their interests, like those of most citizens, are not well represented.

C. Functioning of Government

C1 0-4 pts	
Do the freely elected head of government and national legislative	**0** / 4

representatives determine the policies of the government?	

Hun Sen has increasingly centralized power, and figures outside of his close circle have little impact on policymaking. Analysts also believe the prime minister is grooming his son, General Hun Manet, to succeed him. Hun Manet has gained several key posts during his father's rule, including the deputy leadership of Hun Sen's personal bodyguard and the top post in the defense ministry's counterterrorism task force. In 2018, the general was promoted to his current rank, and was made commander of the Royal Cambodian Armed Forces (RCAF). In October 2018, the prime minister publicly suggested his son could become his successor.

Score Change: The score declined from 1 to 0 because of the fundamentally undemocratic nature of the 2018 elections, which undercut the legitimacy of policy decisions made by the government throughout 2019, as well as the government's continued reliance on military officers as opposed to elected officials to secure its rule.

C2 0-4 pts	
Are safeguards against official corruption strong and effective?	**1** / 4

Anticorruption laws are poorly enforced, and corruption is pervasive in public procurement and tax administration, to the benefit of Prime Minister Hun Sen and his family. In 2018, anticorruption nongovernmental organization (NGO) Global Witness claimed that the prime minister's family benefited from ownership stakes in firms worth over $200 million; these companies were involved in projects varying from gold mining to the construction of Phnom Penh's international airport.

Members of the prime minister's family have also used their positions to keep millions of dollars in assets abroad, and have acquired Cypriot passports through its

Citizenship by Investment program; participants must invest at least €2 million ($2.4 million) in order to qualify.

Senior CPP senators have been implicated in acts of corruption, benefiting from smuggling operations and illegal land concessions.

C3 0-4 pts	
Does the government operate with openness and transparency?	**1** / 4

Nepotism and patronage undermine the functioning of a transparent bureaucratic system. A draft access to information law was made public in 2018 and was finalized in 2019, but the government added the bill to its long-term strategic plan, consequently delaying its implementation to 2023. Human Rights Watch (HRW) and ARTICLE 19, a British NGO that advocates for greater freedom of information worldwide, criticized the bill in December 2019, warning it did not meet international standards.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts	
Are there free and independent media?	**1** / 4

The government uses lawsuits, criminal prosecutions, massive tax bills, and occasionally violent attacks to intimidate the media. There are private print and

broadcast outlets, but many are owned and operated by the CPP.

Since 2017, the government has engaged in an intense crackdown on independent media. The independent English-language newspaper *Cambodia Daily* closed that year after it was issued an onerous tax bill. It has since been relaunched as an online news aggregator. In 2018, the *Phnom Penh Post*, an independent newspaper, was sold to a Malaysian investor with links to Hun Sen, and many of its editors and reporters quit or were fired following the sale.

Chinese investments also influence Cambodian press output. Fresh News, a progovernment news site, has distributed content from Chinese state media since accepting outside investment in 2018. The government also collaborated with a Chinese investment group when launching NiceTV that same year; this television station broadcasts from a studio within the interior ministry and maintains a close working relationship with Chinese state media.

While progovernment media organizations operate freely, foreign media groups operate with more severe restrictions or are forced out of the country altogether. Radio Free Asia (RFA), which reported on forced evictions and corruption in the country, was forced to close its Phnom Penh bureau in late 2017. Two of its journalists, Uon Chhin and Yeang Sothearin, were arrested and charged with espionage soon after. Their trial began in July 2019, and remained in session at year's end June 2019, Rath Rott Mony, president of the Cambodian Construction Workers Trade Union Federation (CCWTUF), was convicted of incitement to discriminate and given a two-year prison sentence; he cooperated with Russian state-operated television network RT on a documentary covering the sexual exploitation of children in Cambodia.

Two staff members of the *Cambodia Daily*, Cambodian Aun Pheap and Canadian Zsombor Peter, remained on trial as the year ended, after proceedings were delayed during a short Christmas session. They were originally charged with incitement to commit a felony in 2017 after writing about local elections being held that May. Both journalists subsequently fled the country; Pheap is seeking asylum in the United

States, while Peter has remained outside Cambodia for fear of being placed in pretrial detention.

D2 0-4 pts	
Are individuals free to practice and express their religious faith or nonbelief in public and private?	**3**/4

The majority of Cambodians are Theravada Buddhists and can practice their faith freely, but societal discrimination against religious and ethnic minorities persists.

D3 0-4 pts	
Is there academic freedom, and is the educational system free from extensive political indoctrination?	**2**/4

Teachers and students practice self-censorship regarding discussions about Cambodian politics and history. Criticism of the prime minister and his family is often punished.

D4 0-4 pts	
Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	**2**/4

The state generally does not intervene in people's private discussions, though open criticism of the prime minister can result in reprisals. In 2018, however, Hun Sen and other government leaders warned ahead of the lower house election that criticism of the government would be punished severely.

E. Associational and Organizational Rights

E1 0-4 pts	
Is there freedom of assembly?	**1** / 4

Authorities are openly hostile to free assembly. The few small opposition parties that did contest the 2018 lower house elections had few or no events. Gatherings by the now-banned major opposition party are prohibited.

Demonstrators who commemorated the third anniversary of the murder of commentator and activist Kem Ley in July 2019 experienced similar treatment, with security forces breaking up a gathering at the site of his death. Three of the demonstrators were arrested; two of them signed documents pledging not to engage in "social unrest" in order to secure their release, while the third was charged with incitement to commit a felony. Security forces also imposed restrictions on assemblies marking the anniversary of Kem Ley's death in five provinces and intimidated their participants, though the events still went forward.

E2 0-4 pts	
Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	**1** / 4

Activists and civil society groups dedicated to justice and human rights face increasing state harassment. Prominent activist Kem Ley was murdered in broad daylight in 2016. In 2018, three activists involved with planning his funeral were charged with embezzlement, though charges against one of them were later dropped. Four activists who commemorated Kem Ley's murder by printing T-shirts bearing his likeness were arrested in July 2019, and two of them were charged with incitement to commit a felony in November.

Activists involved in land disputes also face harassment, arrest, and violence at the hands of the government. Sum Moeun, who represented a group of 300 families

locked in a dispute with an agricultural firm in the northern province of Preah Vihear, was arrested along with his son and 13 other people in January 2019. Moeun, who was beaten during his arrest, escaped, reappearing in April and calling for the release of his son and the 13 villagers. The defendants were charged with illegal clearing of state forest land, but they assert they own the land given by the government in a concession to the company. Charges against four villagers were dropped and the other ten were released on bail by July. Moeun's trial began in October.

E3 0-4 pts	
Is there freedom for trade unions and similar professional or labor organizations?	**1** / 4

Cambodia has a small number of independent trade unions, and workers have the right to strike, but many face retribution for doing so. A 2016 law on unions imposed restrictions such as excessive requirements for union formation.

F. Rule of Law

F1 0-4 pts	
Is there an independent judiciary?	**0** / 4

The judiciary is marred by corruption and a lack of independence. Judges have facilitated the government's ability to pursue charges against a broad range of opposition politicians.

F2 0-4 pts	
Does due process prevail in civil and criminal matters?	**1** / 4

Due process rights are poorly upheld in Cambodia. Abuse by law enforcement officers and judges remains extremely common. Sham trials are frequent, while elites generally enjoy impunity.

F3 0-4 pts	
Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	**1** / 4

Cambodians live in an environment of repression and fear. The torture of suspects and prisoners is frequent. The security forces are regularly accused of using excessive force against detained suspects.

The work of the Extraordinary Chambers in the Courts of Cambodia (ECCC), established to try the leaders of the former Khmer Rouge regime, has brought convictions for crimes against humanity, homicide, torture, and religious persecution. In 2018, the tribunal found Nuon Chea and Khieu Samphan, two surviving leaders of the Khmer Rouge, guilty of genocide and crimes against humanity. They both received life sentences; both had already been sentenced to life in prison for past convictions of crimes against humanity. The convictions marked the first time the Khmer Rouge crimes were legally defined as genocide. Nuon Chea died in August 2019.

While three defendants remain under the jurisdiction of the ECCC, the body was split over whether to continue the trial against one, leading to an impasse. The tribunal's three Cambodian judges voted in December 2019 to dismiss the case against Ao An, who was accused of overseeing the genocide of the Cham Muslim minority during the Khmer Rouge's rule. Its two international judges voted to proceed. The ECCC's vote, as well as Hun Sen's opposition to trials against the remaining defendants, put the tribunal's future in doubt as the year ended.

F4 0-4 pts	
Do laws, policies, and practices guarantee equal treatment of various	

segments of the population?	**1** / 4

Minorities, especially those of Vietnamese descent, often face legal and societal discrimination. Officials and opposition leaders have demonized minorities.

The Cambodian government frequently refuses to grant refugee protections to Montagnards fleeing Vietnam, where they face persecution by the Vietnamese government.

While same-sex relationships are not criminalized, LGBT+ individuals have no legal protections from discrimination.

G. Personal Autonomy and Individual Rights

G1 0-4 pts	
Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	**2** / 4

The constitution guarantees the rights to freedom of travel and movement, and the government generally respects these rights in practice. However, restrictions do occur, notably when the government tries to prevent activists from traveling around the country.

G2 0-4 pts	
Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	**1** / 4

Land and property rights are regularly abused for the sake of private development projects. Over the past several years, hundreds of thousands of people have been forcibly removed from their homes, with little or no compensation, to make room for commercial plantations, mine operations, factories, and high-end residential developments. Land disputes are common, and security forces respond to protests with force.

G3 0-4 pts	
Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	**2** / 4

The government does not frequently repress personal social freedoms, but women suffer widespread social discrimination. Rape and violence against women are common.

G4 0-4 pts	
Do individuals enjoy equality of opportunity and freedom from economic exploitation?	**1** / 4

Equality of opportunity is severely limited in Cambodia, where a small elite control most of the economy. Labor conditions can be harsh, sometimes sparking protests.

Cambodia is a country of origin, destination point, and transit point for sex and labor trafficking; while the US State Department reported progress in Cambodia's efforts to fight trafficking in a 2019 report, it also criticized the government for prosecuting individuals working to document this activity.

On Cambodia

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Country Facts

Global Freedom Score

25 /100 Not Free

Internet Freedom Score

43 /100 Not Free

Other Years

2019

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