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Cambodia

Country Reports on Human Rights Practices - [2005](#)

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Cambodia is a constitutional monarchy with an elected government and a population of approximately 13.1 million. Following elections in 2003, the Cambodian People's Party (CPP), led by Prime Minister Hun Sen, and the National United Front for a Neutral, Peaceful, Cooperative, and Independent Cambodia (FUNCINPEC), led by Prince Norodom Ranariddh, formed a coalition government in 2004. However, the CPP dominated the government, with most power concentrated in the hands of the prime minister. Although the civilian authorities nominally controlled the security forces, in practice security forces answered to the CPP leadership.

Unlike in 2004, there were no reported political killings. Nevertheless, the government's human rights record worsened, as the country's fragile democracy suffered several setbacks, particularly in the areas of political participation and freedom of speech. The government undertook actions that served to neutralize its critics through a limited number of arrests of journalists, leaders of civil society, human rights activists, and members of the political opposition. In February the National Assembly removed parliamentary immunity from three opposition members of parliament (MPs) to pursue possible criminal cases against them. The government used the weak and often politically biased judiciary to file defamation suits to arrest, silence, and intimidate civil society and critics of government policy. The following human rights problems were reported:

- extrajudicial killings
- impunity of security forces
- abuse of detainees, often to extract confessions
- harsh prison conditions
- arbitrary arrest and prolonged pretrial detention
- a weak judiciary and denial of the right to a fair trial
- government control of or influence over the content of television and radio broadcasts
- government interference with freedom of assembly
- domestic violence and discrimination in the workplace against women
- child abuse
- trafficking in women and children
- land disputes and lack of fair resolutions
- antiunion activity by employers and nonenforcement of labor laws
- child labor

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Contrary to previous years, there were no reports of politically motivated killings. There were five killings of Sam Rainsy Party (SRP) activists during the year, but none were proven to be politically motivated. However, extrajudicial killings continued to occur.

On March 21, government security forces killed five protestors and injured eight others in the village of Kbal Spean while attempting to carry out an eviction. The provincial court investigated charges of murder, attempted murder, voluntary manslaughter, and battery against 66 police officers and 52 villagers. On August 4, the court announced that charges were dropped against all except a military policeman. On August 30, the victims' families lodged criminal complaints with the Phnom Penh Appeals Court. At year's end the court had not taken any action.

On March 23, 19 inmates and a prison director died during an attempted escape from Trapoeung Phlong Prison, also known as CC3, in Kampong Cham Province. Security forces reportedly shot and killed 17 inmates during the escape attempt and 2 thereafter. The prison director, whom inmates severely injured during the jailbreak, died two days later from injuries sustained after being inadvertently shot by prison guards. Prison authorities delayed a week after the incident before allowing humanitarian groups to provide medical care to 11 injured inmates, and they did not grant access to human rights groups and journalists to investigate the incident until 5 months later.

On January 18, an investigating judge in the Kratie Provincial Court dropped charges and freed two persons arrested for involvement in the

August 2004 killing of a member of the military. Nongovernmental organizations (NGOs) reported that the judge persuaded the victim's spouse to accept financial compensation in exchange for withdrawing the criminal suits.

On February 15, a soldier from a paratroop unit was sentenced to 15 years in prison for the May 2004 killing of Ros Sanannareth, a factory-level union leader. The soldier also was ordered to pay \$2 thousand (8.4 million riel) in punitive damages to the victim's spouse. Savannareth's spouse and daughter received political asylum in a third country.

On July 8, the Supreme Court upheld the July 2004 appeals court decision overturning the verdict of an investigating judge to drop charges against two persons arrested for the January 2004 killing of union activist Chea Vichea. On August 1, the Phnom Penh Municipal Court sentenced the suspects to 20 years in prison. Local and international NGOs and the diplomatic community widely denounced the outcome of the trial. The UN special representative for human rights in Cambodia stated that the prosecution failed to present evidence linking the defendants to the crime and disregarded fundamental principles of a fair trial, such as presumption of innocence and impartiality of the court.

There were no developments in the cases of a FUNCINPEC deputy village chief or a Sam Rainsy Party (SRP) activist, who were killed in separate incidents in January 2004 in Kompot Province. There also were no developments in the case of the 2003 killing of Sam Bunthoeun, a Buddhist abbot who encouraged monks to register for elections after a pro-CPP Buddhist patriarch had forbidden them to do so. At year's end no suspects had been arrested for the 2003 killing of Chuor Chetharith, a reporter for pro-FUNCINPEC Taprohm Radio and official in the Ministry of the Interior (MOI). The case of the village chief accused of the 2003 killing of an SRP activist's daughter was pending in the appeals court at year's end.

A credible NGO report indicated that members of the military, military police, and civilian police forces were implicated in 40 cases of extrajudicial killings. The report found that perpetrators were apprehended and prosecuted in 23 percent of those cases, while the rest escaped prosecution or remained at large.

At year's end no legal action had been taken against a police officer who in July 2004 killed a prisoner awaiting trial in Takeo Province. Reports indicated that he had been transferred to a different position.

There were no developments in the 2003 case in which antiriot police shot a union striker during a demonstration; a policeman was killed in the same incident. Several 2003 high-profile cases remained unsolved. These included the killing of Judge Sok Sethamony of the Phnom Penh Municipal Court, shot on his way to work, and Touch Srey Nich, a popular singer paralyzed after being shot by unidentified gunmen.

The number of landmine casualties remained high. There were 871 landmine and unexploded ordinance (UXO) casualties reported in the year, resulting in 173 deaths, 175 amputations, and 523 other injuries. There were 898 landmine and UXO casualties in 2004 and 772 in 2003.

On February 15, the Supreme Court upheld the life sentence of Chhouk Rin, a former Khmer Rouge commander, for his role in a 1994 train ambush in Kampot Province. Authorities arrested Chouk Rin on October 25 and sent him to Prey Sar Prison to serve his sentence.

Vigilante justice persisted, as well as killings of alleged witches and sorcerers. During the year vigilante mob violence resulted in at least 22 deaths of suspected thieves and the severe injury of many others. In January villagers killed a man suspected of stealing a cow. In February approximately 100 villagers attacked and killed a man suspected of stealing a motorbike. In June a mob beat to death a teenage boy who was suspected of attempting to steal a ladder. In July a man killed an elderly woman with an axe; he told police that 20 villagers had paid him to kill the alleged sorceress. In August two gunmen killed a man believed responsible for killing their relatives with his magic power. Prosecutions of those responsible for mob violence were rare. NGOs cited public loss of confidence in the police and judiciary along with the prevalence of rampant corruption within those institutions as driving forces behind the pervasiveness of mob violence.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and physical abuse of prisoners; however, beatings and other forms of physical mistreatment of prisoners continued to be a serious problem. There were credible reports that military and civilian police officials used physical and psychological torture and severely beat criminal detainees, particularly during interrogation. According to the government, the number of inmates detained in the country's 24 prisons increased from 7,423 in 2004 to 9,373. A local NGO that monitored 17 of the prisons reported that during the year 308 inmates were pretrial detainees who had been held longer than the 6-month maximum detention period established by law. Of 189 inmates interviewed by a local NGO, 25 claimed they were tortured upon their arrival at prison, and 52 others claimed they were tortured while in police custody. Members of the police and security force who carried out abuse often were protected from prosecution or disciplinary action by local government authorities, despite occasional central government efforts to curtail or eliminate violations of prisoners' rights and address problems of accountability.

On April 29, a commune police chief and another police officer without a warrant forcibly arrested a man because of a personal dispute from the previous day. The policemen suspended the man upside down from the ceiling of the police station, where he was interrogated, beaten, and forced to confess to a robbery in which he had no involvement. The victim was released later that night. Following a provincial police officer's urging, the victim accepted financial compensation and withdrew his criminal complaint from the provincial court. No legal action was taken against the police chief, and the case was terminated.

On November 8, a 15-year-old female prisoner filed a complaint with a local NGO, alleging that a guard threatened her with a gun after she refused his sexual advances. The prisoner later alleged that, in retaliation, prison authorities deprived her of sufficient clothing, food, and bathing time. A formal complaint was filed by the NGO with a provincial prosecutor, and the accused prison guard was suspended while the prosecutor investigated the complaint.

Prison and Detention Center Conditions

Prison conditions did not meet international standards and were life threatening. Prison conditions remained harsh, and government efforts to improve them continued to be hampered by a lack of funds and weak enforcement. Human rights organizations cited a number of serious problems, including overcrowding, medical and sanitation problems, food and water shortages, malnutrition, and poor security. A local NGO that monitored 23 of the country's 24 prisons noted that the population of those prisons had grown and the average number of inmates placed in a 7-by-8-meter cell had increased from 45 to between 50 and 60. In August 2004, Tackhmau Prison, with a capacity of 110 prisoners, held 266. In some prisons, after escape attempts authorities used shackles and held prisoners in small, dark cells. Government ration allowances for purchasing prisoners' food routinely were misappropriated and remained inadequate, exacerbating malnutrition. Regulations permitted families to provide prisoners with food and other necessities, and prisoners depended on such outside assistance; however, families often were compelled to bribe prison officials to be allowed to provide assistance. During the year NGOs reported that 89 prisoners died for lack of food or medication, or of disease contracted or aggravated while incarcerated.

In March, 19 inmates and the director of Trapoeung Phlon Prison were killed in an attempted jailbreak. In July 2004 a pretrial detainee under police custody in Takeo Province was beaten to death (see section 1.a.).

In most prisons there was no separation of adult prisoners and juveniles, of male and female prisoners, or of persons convicted of serious crimes and persons detained for minor offenses.

The government generally continued to allow international and domestic human rights groups to visit prisons and provide human rights training to prison guards. However, NGOs reported that at times cooperation from local authorities was limited. For example, human rights NGOs were not given access to investigate the incident surrounding the attempted escape in March at the Trapoeung Phlon Prison until five months after it occurred (see section 1.a.). The MOI continued to require that lawyers, human rights monitors, and other visitors obtain permission prior to visiting prisoners. The MOI withheld such permission in some politically sensitive cases. NGOs were not allowed to interview prisoners in private. There were credible reports that inmates' relatives had to bribe prison authorities to gain access to visit inmates. There also were reports of corrupt officials who demanded bribes before releasing inmates who had served their full jail terms.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, the government generally did not respect these prohibitions. During the year a number of persons were arrested without warrants, and human rights groups reported 88 cases of persons illegally detained by police.

Role of the Police and Security Apparatus

The General Commissariat of the National Police, which is under the supervision of the MOI, manages all civilian police units. The police forces are divided into those who have the authority to make arrests, those who do not have such authority, and the judicial police. Military police are permitted to arrest civilians only when authorized by local governments. During the year there were reports that police, prosecutors, investigating judges, and presiding judges received bribes from illegal businesses and released suspects due to corruption. There was a climate of impunity for some criminals.

Police, prosecutors, and judges are required by law to investigate all complaints, including those of police abuses, but in practice judges and prosecutors rarely conducted an investigation prior to a public trial. The presiding judge passes down the verdict based on written reports from police and witness testimonies. In general police received little professional training. Police who failed to prevent or respond to societal violence were rarely disciplined.

Arrest and Detention

The law allows police to take a person into custody and conduct an investigation for 48 hours, excluding weekends and government holidays, before charges must be filed; however, authorities routinely held persons for extended periods before charging them. The law requires police to obtain a warrant from a prosecutor prior to making an arrest, but police may arrest anyone caught in the act of committing a crime without a warrant. Many prisoners, particularly those without legal representation, had no opportunity to seek release on bail. Accused persons legally are entitled to a lawyer, but prisoners routinely were held for several days before gaining access to a lawyer or family members. According to the UN High Commissioner on Human Rights (UNHCHR), such prolonged detention largely was a result of the limited capacity of the court system.

On October 11, police detained independent radio station owner Mam Sonando on defamation charges following an interview broadcast on his station that criticized the government's border policies. On October 15, police detained Rong Chhun, president of the Cambodian Independent Teachers' Association and also Cambodia Watchdog Council (CWC) member, on defamation charges following the release of a public statement that criticized the government's border policies. On December 31, police arrested human rights advocates Kem Sokha and Yeng Virak for activities related to a December 10 rally in Phnom Penh (see section 2.a.). Sonando and Chhun were denied bail. The UN special representative for human rights, the diplomatic community, and various international NGOs condemned the arrests and urged authorities to drop the charges against the men. Although the government gave these political detainees the same protections as other detainees, it did not permit regular access to them.

The investigating judge gathers evidence before determining whether to try a case. An NGO reported that during the year there were 308 complaints of pretrial detention that lasted longer than the prescribed 6 months. The suspected killers of union leader Chea Vichea were detained for almost 18 months prior to their trial on August 1. Opposition parliamentarian Cheam Channy was detained for more than six months before the military court tried him on August 8; court officials claimed that the delay was the result of appeals made to the courts. International and local NGOs widely criticized Cheam Channy's arrest and detention as illegal under criminal law. In addition human rights observers called his arrest and subsequent detention a violation of the law for trying a civilian charged with civilian crimes in the military court (see section 1.e.).

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but the government did not respect this provision. The courts were subject to influence and interference by the executive branch, and there was widespread corruption among judges, prosecutors, and court officials.

The court system consists of lower courts, an appeals court, and a Supreme Court. The constitution also mandates a Constitutional Council, which is empowered to review the constitutionality of laws, and a Supreme Council of the Magistracy, which appoints, oversees, and disciplines judges. The composition of both councils heavily favored the CPP.

Trial Procedures

Trials are public. Juries are not used; the presiding judge possesses the authority to pass a verdict. Defendants have the right to be present and consult with an attorney, confront and question witnesses against them, and present witnesses and evidence on their own behalf. If a defendant cannot afford an attorney, the court is required to provide the defendant with free legal representation; however, the judiciary lacked the resources to provide legal counsel, and most defendants sought assistance from NGOs or went without legal representation. Trials typically were perfunctory, and extensive cross-examination usually did not take place. Defendants and their attorneys have the right to access government-held evidence relevant to their cases; however, in practice it could be difficult for them to obtain such access, especially if the case was political or involved a high-ranking government official or well-connected member of the elite.

Defendants are entitled by law to the presumption of innocence and the right of appeal, but due to pervasive corruption, defendants often were expected to bribe judges to secure a verdict. A citizen's right to appeal sometimes was limited by difficulty in transferring prisoners from provincial prisons to the appeals court in Phnom Penh. Many appeals thus were heard in the absence of the defendant.

A lack of resources, low salaries, and poor training contributed to a high level of corruption and inefficiency in the judicial branch, and the government did not ensure due process.

On August 1, the Phnom Penh Municipal Court found Born Samnang and Sok Sam Ouen guilty of the murder of Chea Vichea (see section 1.a.). On August 9, the military court sentenced opposition party MP Cheam Channy to seven years' imprisonment for fraud and organizing an illegal armed force (see section 1.a.). On December 22, opposition leader Sam Rainsy was sentenced in absentia to 18 months in jail for defaming FUNCINPEC President Prince Norodom Ranariddh and PM Hun Sen. The cases were marked by serious irregularities, and the verdicts led to widespread condemnation by NGOs and the diplomatic community. The UN special representative for human rights denounced the outcome of the trials, stating that the defendants were sentenced to long prison terms on the basis of noncredible criminal investigations and court hearings.

Judges and prosecutors often had little legal training. In 2003 the Royal School for Judges and Prosecutors reopened and accepted its first class of students since the 1960s. Following their legal internships in late 2004, the 55 graduates were appointed as judges and prosecutors to courts throughout the country. The introduction of newly trained lawyers also resulted in significant improvements for defendants provided with counsel, including a reduced pretrial detention period and improved access to bail; however, there remained a critical shortage of trained lawyers, particularly outside Phnom Penh. Persons without means to secure counsel often were effectively denied the right to a fair trial.

Sworn written statements from witnesses and the accused usually constituted the only evidence presented at trials. The accused person's statements sometimes were coerced through beatings or threats, and illiterate defendants often were not informed of the content of written confessions that they were forced to sign. In cases involving military personnel, military officers often exerted pressure on judges of civilian courts to have the defendants released without trial.

Court delays or corrupt practices often allowed accused persons to escape prosecution. Government officials or members of their families who committed crimes sometimes appeared to enjoy impunity. On May 5, the 23-year-old son of a senior military official was accused of killing 3 persons in a hit-and-run accident in Phnom Penh. The traffic police and the prosecutor closed the criminal case after the young man's family paid financial compensation to the families of the dead. On June 9, police found the body of a 20-year-old man in a house that belonged to the family of a provincial police chief. The victim apparently had been electrocuted and had one of his fingers cut off. At year's end authorities had taken no legal action, and the criminals remained at large.

Although the courts prosecuted some members of the security forces for human rights abuses, impunity for most of those who committed human rights abuses remained a problem. On August 4, an investigating judge of the Battambang Provincial Court dropped charges against more than 100 soldiers, civilian police, and military police involved in a March eviction in Kbal Spean during which 5 persons were killed and many others injured (see section 1.a.). Most national and local government officials continued to lack the political will and financial resources to act effectively against military or security officials suspected of human rights abuses.

The Judicial Reform Council made no significant progress in fulfilling its mandate to develop and implement reform measures. In 2002 the

government established a second legal and judicial reform council amid criticisms that the council's cochairs, a cabinet minister and the supreme court president, lacked sufficient independence. In 2003 the Council for Legal and Judicial Reforms (CLJR) produced a draft justice sector program and held workshops with civil society, donors, and other interested parties. During 2004 the CLJR cooperated with donors to implement the program and forwarded numerous draft laws to the National Assembly for approval, including draft laws on the Statute of Magistrates, the administrative court, and amendments to the law on the Organization and Functioning of the Supreme Council of Magistracy. In addition, in November 2004 the CLJR forwarded action plans for legal reform goals to the Council of Ministers. The government, in cooperation with legal experts from donor countries, completed draft laws of the criminal and civil codes and was reviewing them at year's end.

In March the Supreme Council of the Magistracy dismissed a judge and a deputy prosecutor of the Phnom Penh Municipal Court for misconduct in their judicial functions. A judge and a prosecutor were suspended for a year without pay. According to the minister of justice, the judges and prosecutors were subject to investigation for inappropriate actions, including illegal release of felony criminals. Legal observers charged that the council was subject to political influence and did not effectively protect the independence of the judiciary. In accordance with the March 3 "Iron Fist" anticorruption order, on May 5 Prime Minister Hun Sen dismantled the secretariat of the council. Legal critics regarded the dismantling as executive branch interference with the judiciary. On December 21, the Battambang Provincial Court sentenced three judges, two deputy prosecutors, and two court clerks to four years' imprisonment each on charges of corruption and corruption-related conspiracy.

Human rights groups continued to report that the government demonstrated its control of the courts by ordering the rearrest of suspects released either by the courts or through extrajudicial processes. Judges cited examples of interference from high-ranking officials tasking them to make rulings in line with political priorities.

Lawyers also noted that, in violation of the law, some police and prison officials, with apparent support from other government officials, have denied them the right to meet prisoners in private or for adequate lengths of time. After the 2003 anti-Thai riots, family members and human rights groups noted they did not have access to the 57 individuals detained by the government while the investigation was in progress.

There is a separate military court system, which suffered from deficiencies similar to those of the civilian court system. The legal distinction between the military and civil courts sometimes was ignored in practice, and civilians have been called for interrogation by military courts with no apparent jurisdiction in their cases.

In 2001 a law was promulgated to establish Extraordinary Chambers to bring Khmer Rouge leaders to justice for genocide, crimes against humanity, and war crimes committed from 1975 through 1979. In 2003 the UN General Assembly approved a draft agreement between the UN and the government for prosecution of crimes committed during the Democratic Kampuchea (Khmer Rouge) period. In October 2004 the National Assembly unanimously ratified the agreement with the UN and passed the amendments necessary to make the tribunal operational. The agreement outlined a 3-year budget of \$56.3 million for the trials of senior Khmer Rouge leaders. Donor nations pledged contributions of \$43 million, and the government pledged to contribute the remaining \$13.3 million. However, the prime minister later announced that the government could provide only \$1.3 million. Despite the funding shortfall, the government and the UN proceeded with the establishment of the Khmer Rouge Tribunal (KRT) and appointed the director of the KRT administration and the UN representative to the KRT.

Political Prisoners

On February 3, the National Assembly stripped opposition MP Cheam Channy of his parliamentary immunity and arrested him on charges of organized crime and fraud following government allegations that he formed an illegal army. On August 9, a military tribunal convicted Channy and sentenced him to seven years' imprisonment. NGOs and the diplomatic community strongly condemned the verdict as a breach of due process that raised fundamental questions about the country's progress toward rule of law. Although the government gave Channy the same protections as other prisoners, it did not permit regular access to him.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law provides for the privacy of residence and correspondence and prohibits illegal searches; however, police routinely conducted searches and seizures without warrants. There were no reports that the government monitored private electronic communications.

Due to the forced collectivization during Khmer Rouge rule and the return of thousands of refugees, land ownership often has been unclear, and most landowners lacked adequate formal documentation of ownership. Following the end of the Khmer Rouge insurgency, a rush to gain possession of lands near potentially lucrative cross-border trade routes exacerbated the ownership problem. Widespread land speculation has fueled disputes and increased tensions between poor rural communities and wealthy speculators. In 2002 the Ministry of Land Management, Urban Planning, and Construction established the Cadastral Commission to settle disputes over land that had not been registered or given a land certificate. The commission continued to perform its functions slowly due to a lack of finances, training, and experience. The courts under the Ministry of Justice remained responsible for resolving disputes in cases where land had been registered or disputants had been given land titles.

During the year the Ministry of Land Management, Urban Planning, and Construction began implementing a 2001 land law to protect land ownership and deeds. Problems of inhabitants being forced to relocate continued to occur when powerful officials or businessmen colluded with local authorities. One NGO reported receiving complaints during the year of 130 cases of land disputes that affected 7,885 families. Another NGO reported 335 cases during the same period. Some persons also used the court system to intimidate the poor and vulnerable into exchanging their land for meager compensation. The poor often had no legal documents to support their land claims and lacked faith in the judicial system to rule favorably on their behalf due to the corruption within the judiciary. Some of those expelled successfully contested these actions in court, but the majority lost their cases.

The use of land concessions by government officials for personal economic and political gains has increased the number of land disputes throughout the country. The UN special representative for human rights sharply criticized the government's land policies in a November 2004 report and called for full disclosure of information concerning all land concessions. Despite promising donors in October 2004 that he would stop issuing concessions, Prime Minister Hun Sen reversed this position in March. In early December the government released hundreds of documents containing in-depth information on economic land concessions, something donor nations had persistently requested.

On March 21, a mass eviction took place in the village of Kbal Spean, near the Thai border at Poipet, resulting in the shooting deaths of 5 villagers and injuries to at least 40 more. In 1997 district authorities had moved some current residents onto the land, which the residents cleared of trees and mines. However, a 2003 appeals court decision awarded the land in dispute to the village chief. Hundreds of civilian and military police were deployed to protect demolition workers who, in enforcing a 2003 appeals court eviction order, destroyed the homes of more than 200 families. An interministerial committee was established after the incident to investigate the case. A provincial court charged 55 villagers, including the 5 dead, with physical assault, and 63 police and a civilian for intentional killings. In August the court dropped all charges due to lack of evidence. Later in August the provincial authority reportedly again ordered the villagers to move off the land. In December approximately 200 villagers traveled to Phnom Penh to seek prime ministerial intervention to solve their dispute. The families, with assistance from an NGO, also lodged a complaint with the appeals court, but at year's end no action had been taken.

During the year indigenous Phnong in Monduliri Province launched a series of protests to block encroachment on communal land by the Wuzhichan Group, a Chinese company. These protests culminated on June 16, when approximately 40 police officers used water hoses to disperse 800 mostly Phnong hill tribe members. The members had gathered to demand that the provincial authority stop the company's activities on historically communal land that is also an ancestral gravesite. Wuzhishan reportedly had received more than 80 thousand hectares of concession in Monduliri for a tree plantation, a size violating the concession limit of 10 thousand hectares. On June 17, the Council of Ministers ordered suspension of the company's activities, but the company largely ignored the order. On July 7, villagers planned to protest continued government inaction, but roadblocks set up by local authorities prevented all but 300 to 400 protestors from reaching the provincial capital. In August the interministerial committee provided compensation to the villagers and a 10-thousand-hectare concession to the company. The villagers were not satisfied with the committee's solution, and at year's end the conflict remained unresolved.

In September the UN special representative on housing rights reported that the country had a worrisome pattern of land disputes between elites and the poor and that some local authorities and businessmen intimidated poor residents to accept eviction. The special representative reported that the prevalence of land confiscation stemmed from the country's lack of suitable land laws, clear property lines, and adequate legal systems, and that it was compounded by a culture of impunity, corruption, and the uncertain roles of civil and military officials.

A dispute originally affecting approximately 1,800 families over a road project between Phnom Penh and Ho Chi Minh City continued. Although most claims were settled, approximately 300 additional families submitted grievances to an interministerial resettlement committee for an increase in compensation, charging that the amount offered was inadequate.

After an October 2004 speech by Prime Minister Hun Sen concerning redistribution of land from speculators to the poor, thousands of villagers in Sihanoukville began a program of land grabbing on vacant plots owned by wealthier members of the community or absentee landlords. Authorities issued arrest warrants for 29 persons in connection with the act and eventually arrested 17 suspects, who were later released.

In November 2004 a major land dispute occurred involving hundreds of villagers in Pursat and Kompong Chhnang and the Pheapimex Company. The dispute involved a 31,500-hectare land concession granted to Pheapimex by the government. During protests in front of the company's worksite, an unknown person threw a grenade into the crowd of villagers, injuring eight persons. At year's end police had not made any arrests, and the company had ceased its operations.

There were reports of 5 cases of relocations that affected more than 500 families due to community development projects by the Phnom Penh Municipality. In December 2004 local officials and a real estate development company began pressing residents to leave Koh Pich, a small island in the Tonle Bassac River near Phnom Penh. The island's more than 300 families (most of whom were farming families living there since the 1980s) were offered a small amount of money, resettlement on marginal land in a nearby province, and food. Residents were subjected to a variety of threats and intimidating acts. Many residents sold their land out of fear and left the island. An NGO represented the remaining residents in negotiations and enabled them to obtain better compensation. Residents with the strongest land ownership claims remained on the island, hoping for a higher rate of compensation. In November the Phnom Penh Municipal Court issued an eviction order for the residents remaining on the island. NGOs asserted that the municipal court did not have jurisdiction in the Koh Pich case and that the dispute should be decided by the Cadastral Commission. At year's end all but five families, which had strong supporting documents, accepted the compensation offered and agreed to move off the land.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press; however, the government increasingly did not respect these rights in practice. The government used the weak and often politically biased judiciary to file defamation suits under the criminal code to arrest and silence antigovernment critics and outspoken civil society leaders. The media increasingly practiced self-censorship due to fear of government reprisal. The constitution implicitly limits free speech by requiring that it not adversely affect public security. The constitution also declares that the king is "inviolable."

The 1995 press law provides journalists with a number of rights, including a prohibition on prepublication censorship and protection from imprisonment for expressing opinions. However, it also includes a vaguely worded prohibition on publishing articles that affect national security and political stability. The press published a large number of news items critical of the government, including frequent, highly

personal criticism of the prime minister, the national assembly president, and other senior officials. However, the government has increasingly used the older UN Transitional Authority in Cambodia law to prosecute journalists, civil society leaders, human rights activists, and members of the political opposition under criminal defamation charges rather than use the 1995 press law, which treats defamation as a civil matter.

All major political parties had reasonable and regular access to the print media. In general newspapers were aligned politically. Although the press law does not specifically permit newspapers, major newspapers that published in the Khmer language received support from various political parties. There were an estimated 20 Khmer-language newspapers published regularly; more than half were considered pro-CPP, one-third were considered to support FUNCINPEC, and 1 was considered to support the SRP. Although the three largest circulation newspapers were considered pro-CPP, most newspapers criticized the government frequently, particularly with respect to corruption. Prime Minister Hun Sen and National Assembly President Prince Norodom Ranariddh frequently came under strong attack by opposition newspapers.

The government, military forces, and ruling political party continued to dominate the broadcast media and influence the content of broadcasts. According to a 2001 UNHCHR report, the procedures for licensing and allocation of radio and television frequencies to the media were not impartial. The SRP and independent human rights advocacy groups aligned with the opposition have been unable to obtain broadcast licenses. The Ministry of Information allowed local French radio station FM 92 to broadcast live programming in Khmer originating from Radio France International in Paris.

There were seven television stations, all controlled or strongly influenced by the CPP. Government control severely limited the content of television and radio broadcasting. The government-controlled national television and radio stations broadcast taped sessions of national assembly debates; however, in several instances these broadcasts were censored. National radio and television stations regularly broadcast some human rights, social action, public health, education, and civil society programming produced by domestic NGOs.

On October 11, authorities detained Mam Sonando, radio journalist and owner of independent radio station Beehive/FM 105, for alleged defamation regarding the Cambodia-Vietnam Border Agreement. On October 15, CWC member and labor leader Rong Chhun was detained on defamation charges following the release of a public statement that he signed criticizing the government's border policies. Prison authorities denied access to human rights organizations and reporters and refused bail to both men. CWC members Man Nath, Ear Channa, and Chea Mony fled the country after the government issued warrants for their arrests. The government filed a request for their extradition. Prince Sisowath Thomico fled the country after the government charged him with defamation for criticizing government policies. Several journalists also fled to Thailand fearing prosecution for their reporting on the border agreement; they later returned to resume their work as reporters and at year's end had not faced prosecution. On December 31, police arrested Kem Sokha, CCHR president and prominent human rights activist, and Community Legal Education Center Director Yeng Virak on defamation charges stemming from the display of a banner during an International Human Rights Day rally in Phnom Penh on December 10. The government held both men responsible since they were involved in the event's organization. The UN special representative for human rights, NGOs, and the diplomatic community condemned the arrests and called for the immediate release of Sonando, Chhun, Virak, and Sokha; there also were calls for criminal proceedings to be immediately dropped against the three CWC members and Prince Thomico Sisowath.

There was no decision in the lawsuit filed in September 2004 against a military officer by a journalist alleging that the officer beat him and threatened him with a gun to stop a report on extortion and illegal logging. There were no developments in the 2003 killing of Chhur Chetharith, a reporter for pro-FUNCINPEC Taprohm Radio and former FUNCINPEC aide. While the case was still technically under investigation, it was unlikely that anyone would stand trial for the crime.

The CCHR-produced *Voice of Democracy* radio program, which included independent and often antigovernment views, was dropped by a pro-FUNCINPEC radio station in June 2004 after the program criticized the party's leader. Nevertheless, the program remained extremely popular, and in December the program also started broadcasting its program on the SRP-aligned radio station FM 93.5. Since 2003 the Ministry of Information has refused to grant the CCHR a license to operate a radio station, claiming that Phnom Penh had too many radio stations and newspapers. Nevertheless, FM 93.5 was able to increase its broadcasting capacity under its existing license from 5 kilowatts to 10 kilowatts during the year, expanding its range of coverage up to 100 kilometers from Phnom Penh.

Although the government increasingly used criminal defamation suits to silence its critics, defamation and libel suits against the media decreased compared to 2004, with only three newspapers charged with defamation during the year. In September the Supreme Court upheld a 2001 ruling by the Phnom Penh Municipal Court in favor of Foreign Minister Hor Namhong in his defamation suit against a *Cambodia Daily* journalist. The Supreme Court fined the journalist approximately \$7,500 (30 million riel) for a newspaper article that quoted allegations by the late senator Keo Bubthouk against Hor Namhong regarding events at the Khmer Rouge camp Boeng Trabek during the 1975-79 Pol Pot regime. The second defamation case was settled out of court. The third case involved a Koh Kong provincial border police officer who filed a defamation lawsuit with the Phnom Penh Municipal Court in September against *Kampuchea Tngai Nih* for an article that accused him of helping a fugitive flee the country. In August Prime Minister Hun Sen's chief of bodyguards threatened to file a defamation lawsuit against pro-opposition newspaper *Moneakseka Khmer* for alleging that he was involved in a 1997 grenade attack on an opposition rally, but at year's end no formal charges had been filed.

Media access to national assembly sessions is mandated by the constitution. The government broadcasts national assembly sessions on national television and radio; however, it continued to restrict media access to government facilities. Since 2003 the National Assembly has banned journalists from entering its grounds without authorization from the assembly's secretary general. In October police barred journalists from entering the grounds of the Phnom Penh Municipal Court after the court's top officials signed an order interpreted to be a total ban on reporters' access to the courthouse. The following day court officials clarified that the order required reporters to obtain permission to interview court officials and required written permission for journalists to bring recording devices into the courtroom. In practice reporters were not given free access to the courts.

Government authorities confiscated publications during the year. In February the government seized two thousand copies of a report

documenting illegal logging and alleged corruption in the Aural Wildlife Sanctuary. The report was published by Global Witness, an NGO that monitored logging activities. However, the report remained easily accessible online and through distribution of an earlier printing.

The government did not restrict Internet access.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for freedom of peaceful assembly, but the government did not respect this right in practice. The government required that a permit be obtained in advance of a march or demonstration. The government routinely did not issue permits to groups critical of the ruling party. Throughout the year the government cited the 2003 anti-Thai riots, the need for stability, and public security as reasons for denying permits. Police forcibly dispersed groups that assembled without a permit, often resulting in minor injuries to some demonstrators. The government granted permission for an NGO coalition to hold a gathering in commemoration of International Human Rights Day on December 10, which organizers estimated that eight thousand persons attended. Although the government's authorization to hold the event initially appeared to be a positive step forward, the subsequent arrests of two of its organizers marked a significant setback to human rights (see section 2.a.).

During the year the government forcibly broke up multiple protests, including 8 protests by garment factory workers who had been denied permits, resulting in 100 injuries and 20 temporary detentions. In January district and military police set up roadblocks near the site of a public forum in Phnom Penh and stopped the cars of CCHR director Kem Sokha and opposition leader Sam Rainsy in a purported search for weapons. In February a CCHR-organized public forum in Svay Rieng Province was abruptly ended when an unidentified man began photographing the faces of persons trying to speak during the rally. On June 24, a provincial court sentenced two taxi drivers to one-year suspended prison sentences and five years' probation for incitement in a January protest against a highway toll increase. In January and September, police dispersed demonstrations by the opposition Khmer Front Party and arrested seven protestors, who were released after signing a pledge not to participate in an unauthorized protest in the future. During the year local authorities banned three meetings organized by the SRP.

In early June the prime minister warned those participating in public forums that they should be careful and stated that the authorities could not be blamed if the public became irate and took matters into their own hands. On September 4, the prime minister publicly urged supporters of the ruling parties to cease disrupting the public forums. Following a suggestion by the prime minister, the supreme patriarch of Buddhist monks issued a ban on political debates and public forums in pagodas.

In August authorities shut down a forum in Kompong Speu Province on the justification that they could not guarantee the safety of speakers after a group of approximately 40 persons started shouting pro-CPP slogans and pointing aggressively at the panel of speakers. Also in August authorities disrupted a dialogue organized by CCHR with villagers in Sihanoukville. Earlier that morning the second deputy commune chief and the village chief, escorted by more than 20 police officers, ordered the owner of the house where the meeting was to be held to cancel the scheduled event. Police also entered the offices of the Khmer Kampuchea Krom Association in Phnom Penh and seized placards and banners that called on the Vietnamese government to respect their rights.

The government also failed to protect peaceful demonstrators from violence. At an unauthorized Students for Democracy (SMD) protest on September 27, a group of counterprotestors (whom a witness described as members of the pro-CPP Pagoda Boy Association) emerged to violently challenge the SMD protestors. Human rights organizations reported that police failed to establish order and prevent the assaults and instead seized the signs and detained the nonviolent SMD protestors, who were later released.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected this right in practice; however, the government did not enforce effectively the freedom of association provisions of the labor law (see section 6.a.).

The government did not coerce or forbid membership in political organizations. Political parties normally were able to conduct their activities freely and without government interference. However, in a closed session on February 3, the National Assembly removed the immunity of three opposition parliamentarians, including opposition leader Sam Rainsy and two other opposition MPs from the SRP. One SRP MP was arrested that same day; Rainsy and the other MP, Chea Poch, fled the country rather than face possible arrest (see section 3). In August a military court sentenced MP Cheam Channy to seven years' imprisonment. SRP activist Khom Piseth was convicted in absentia.

Human rights organizations reported that some local authorities warned members of certain political parties that if they continued to support those parties, they would face a loss of residency rights, confiscation of property, and a ban on using local infrastructure.

Membership in the Khmer Rouge, which ruled the country from 1975 to 1979 and after its overthrow conducted an armed insurgency against the government, is illegal, as is membership in any armed group.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice. The constitution also prohibits discrimination based on religion, and minority religions experienced little or no official discrimination. Buddhism is the state religion, and more than 95 percent of the population was Buddhist. Ethnic Cham Muslims constituted most of the remaining population.

In 2003 the Ministry of Cults and Religions issued an order prohibiting public proselytizing; however, this order was enforced only during the two-hour lunch period.

Societal Abuses and Discrimination

Minority religions experienced little or no societal discrimination. There was no known Jewish community in the country, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the government generally respected them in practice; however, there were reports that provincial authorities barred ethnic minority villagers from leaving Mondolkiri Province to attend an NGO workshop outside the province. In 2004 there were several reports of restrictions on villagers in Mondolkiri and Ratanakiri provinces after the Montagnard (hill tribes) unrest in neighboring Vietnam.

The government placed no restrictions on foreign travel. The government also did not restrict emigration or the return of citizens who had left the country.

The constitution prohibits forced exile, and the government did not employ it.

In 2002 the government signed a memorandum of understanding (MOU) with the United States to facilitate the return of deportable Cambodian nationals; 139 persons had been repatriated from the United States by year's end. An NGO provided reintegration assistance to those repatriated.

Protection of Refugees

The law provides for the granting of asylum or refugee status, and the country is a signatory of the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol; however, in practice the government did not consistently respect the law and has not implemented legislation pertaining to the 1951 UN convention.

In January the governments of Vietnam and Cambodia and the UN High Commissioner for Refugees (UNHCR) signed an MOU to resolve the situation of approximately 750 Montagnards under UNHCR protection in Phnom Penh. In accordance with the MOU, Montagnards from the Central Highlands of Vietnam seeking asylum in Cambodia would either be resettled to a third country if accorded refugee status or be sent back to Vietnam, voluntarily or involuntarily. There was a report that four Vietnamese Montagnards seeking asylum were deported without review, despite a UNHCR presence in the country. The UNHCR maintained its Phnom Penh office but closed its Ratanakiri office in April 2004 in response to requests from local authorities. However, since July 2004 the UNHCR has made numerous trips to Ratanakiri to collect groups of Montagnards who have fled Vietnam. The government permitted the UNHCR to transport these asylum seekers to Phnom Penh, where the UNHCR processed them for potential resettlement abroad. On July 20, the government deported to Vietnam 94 asylum seekers whom the UNHCR had determined not to be refugees. NGOs that witnessed the event raised concerns about the use of excessive force and the possible use of electric shock batons during the deportation, but the UNHCR reported that proper restraint had been used. There were unconfirmed reports that Vietnamese authorities offered incentive awards to Cambodian border police who returned Vietnamese refugees to Vietnam and that Vietnamese secret police were active on the Cambodian side of the border. In January NGOs reported that Cambodian border police deported six Montagnard asylum seekers to Vietnam before UNHCR representatives were able to review their cases. In September the Ratanakiri deputy police commissioner warned villagers that they would be prosecuted for human trafficking crimes if they assisted Montagnards to enter Cambodia. Montagnard asylum seekers continued to enter the country from Vietnam through the end of the year. There were reports of at least one and possibly two incidents in which Montagnards were returned to Vietnamese territory in December.

Asylum seekers who reached the UNHCR office in Phnom Penh were processed with government cooperation. During the year 224 Montagnard asylum seekers and 25 other individuals arrived at the UNHCR refugee facilities in Phnom Penh. The UNHCR also processed 784 Montagnards who had arrived in previous years.

Following the October 11 detention of radio journalist Mam Sonando and CWC member Rong Chhun stemming from criticism of a proposed border agreement with Vietnam, several activists sought asylum abroad. Three civil society leaders from CWC sought refugee protection in Thailand and were granted refugee status by the UNHCR. CWC member Chhan Channy was resettled in Norway in November. However, the government sought extradition of two members to face defamation charges.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the right to change their government peacefully, and citizens generally exercised this right in practice through periodic elections on the basis of universal suffrage. Suffrage is voluntary for all citizens above the age of 18.

Elections and Political Participation

Voter turnout for the most recent elections, held in 2003, was approximately 83 percent. The CPP won 73 seats in the election, FUNCINPEC 26 seats, and the SRP 24 seats. In July 2004 the CPP and FUNCINPEC formed a nominal coalition government, but the CPP dominated the government. All election observer groups noted improvements in the elections; however, they concluded the elections still fell short of international standards. Politically motivated violence remained a problem but was less than during previous elections. The government took action against only some alleged perpetrators and addressed other misconduct inconsistently.

Technical problems with the registration process and preparation of voter lists effectively disenfranchised many citizens in the elections. There also were incidents of voter intimidation by local officials. The National Election Commission (NEC) failed to establish a credible process to resolve election complaints. The appointment of NEC members by the MOI was not transparent and left the NEC open to charges of political influence by the ruling CPP.

During the elections there were improvements in media access for registered parties, and open political debate and multiparty debates were televised nationally for the first time; however, electronic media coverage heavily favored the ruling CPP. In 2003 at least six private radio and television stations refused to sell air time to political parties, a move that critics viewed as CPP-inspired; however, five other private radio stations sold airtime to political parties. The National TV of Cambodia was the sole television station to broadcast news of the general elections.

Some NGOs and political parties alleged that membership in the dominant CPP party provided advantages, such as gifts or access to government emergency aid.

In 2002 the government held its first nationwide commune, local-level elections. During the election campaign period, NGOs reported 25 FUNCINPEC and SRP activists and candidates were killed under suspicious circumstances, including 7 killings that human rights monitoring organizations agreed were politically motivated. The election results loosened the CPP's long hold on local governance. CPP commune chiefs remained in 99 percent of the 1,621 communes; however, as a result of the elections, power was shared with other parties in all but 148 communes. The transfer of power to the newly elected commune councilors was smooth. At year's end the MOI had not issued instructions for elected commune councils to implement the Commune Administration Law describing the power, duties, and functions of the councils.

In a closed session on February 3, the National Assembly voted to remove the immunity of opposition party members Sam Rainsy, Chea Poch, and Cheam Channy. Human rights groups and the diplomatic community condemned the suspension of immunity as a major setback for democracy in the country. Later that same day, police arrested Cheam Channy on charges of fraud and organizing an illegal armed force (see section 1.e.). Rainsy and Poch fled the country because they feared arrest. On August 8, the military court sentenced Channy and, in absentia, SRP member Khom Piseth to seven years' imprisonment. Poch returned to the country in early August to face charges of defamation. On December 22, a municipal court convicted Sam Rainsy in absentia and sentenced him to 18 months' imprisonment. At year's end Rainsy remained in a third country. Diplomatic officials protested Channy's trial by the military court and serious irregularities in the proceedings. The UN special representative for human rights expressed concern that the courts were increasingly being used as an instrument of the executive to silence opposition voices.

Traditional culture limited the role of women in government; however, women took an active part in the 2003 elections. The number of women in the National Assembly, Senate, and high-level government positions increased. There were 22 women in the 123-seat National Assembly, 9 women in the 61-seat Senate, and 24 women working as ministers, secretaries of state, undersecretaries of state, and NEC officials. Women also served as advisors, and there were 14 female judges at the municipal, provincial, and appeals court levels. After the 2002 local elections, women held 933 (8.3 percent) of the 11,261 commune council seats.

Minorities also took part in the government. There were 4 members of minorities--2 Cham and 2 tribal--in the National Assembly. There also were 6 members of minorities--2 Cham, 2 tribal, and 2 Thai--in the Senate. At least eight officials in senior positions in the government were from minority groups.

Government Corruption and Transparency

Corruption was considered endemic and extended throughout all segments of society, including the executive and legislative branches of government. In January the prime minister instructed the Ministry of National Assembly-Senate Relations and Inspection to prepare a draft anticorruption law. Prime Minister Hun Sen announced his "Iron Fist" campaign to combat judicial corruption on March 3, which led to the dismissal of three judges and one prosecutor and the one-year suspension of two judges and two prosecutors. In addition three judges, two deputy prosecutors, and two court clerks were each sentenced to four years in prison. Public perception of corruption was widespread. Meager salaries contributed to "survival corruption" among low-level public servants, while a culture of impunity enabled corruption to flourish among upper-level officials.

There was no law providing for or prohibiting public access to government information. In August the National Assembly ratified the National Archives Law, which allows unlimited access to informational documents in the public archive. However, access to other unspecified government documents would be granted only after 20 years and documents affecting national security and preservation of personal lives would be released after 40 and 120 years, respectively. In practice the government occasionally denied access to information, citing reasons of confidentiality or national security.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and

publishing their findings on human rights cases. The government generally cooperated with human rights workers in performing their investigations; however, there were numerous reports of lack of cooperation or even intimidation by local authorities throughout the country.

There were approximately 40 NGOs involved in human rights activities; however, only a small portion of them were actively involved in organizing training programs or investigating abuses.

While the central government generally was cooperative, human rights NGOs faced a variety of threats and harassment from local officials. These took the form of restrictions on gatherings sponsored by NGOs, verbal intimidation, threats of legal action, bureaucratic obstruction, and other acts of interference. On July 5, Pursat provincial authorities temporarily detained three human rights workers after they photographed houses being demolished by soldiers during an eviction. The human rights workers were released after a few hours, following intervention by local police and court officials.

In July the Phnom Penh-based advisor of Global Witness, an NGO that monitors illegal logging, was denied reentry into the country and had his visa revoked. Immigration officials confirmed that he and four other international Global Witness staff were banned from entering the country. Unlike in 2004, there were no credible threats against local NGO staff providing shelter to trafficked victims and conducting antitrafficking advocacy and investigations.

In January the government and the UNHCHR signed an MOU that extended UNHCHR's activities in the country for two years. During the year the UNHCHR conducted activities related to human rights and the judiciary, and it maintained its headquarters in Phnom Penh and a regional office in Battambang.

The Cambodian Human Rights Committee, which the government established in 1998, was largely inactive. The committee did not have regular meetings or a transparent operating process. In April 2004 the committee issued a report for the first quarter of the year detailing mob killings, but it did not address the killing of union leader Chea Vichea and other serious human rights issues.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, sex, color, language, religious beliefs, or political views; however, the government did not generally protect these rights.

Women

Local and international NGOs reported that violence against women, including domestic violence and rape, was common. The law prohibits rape and assault. Spousal rape and domestic abuse are not recognized as separate crimes. A case of spousal rape could be prosecuted as "rape," "causing injury," or "indecent assault," but such charges were rare. One NGO reported 59 cases of domestic violence from January to August, including 10 deaths. The MOI's antitrafficking department investigated 398 cases of violence against women and children, resulting in the arrest of 431 perpetrators and rescue of 431 victims. Of the 431 arrests, 218 were for rape. A legal advocacy NGO reported having worked on 265 cases of violence against women and children, including trafficking, domestic violence, and rape. Of the 265 cases, 95 were tried during the year, of which 39 resulted in convictions. The other cases were acquitted by the court either for lack of evidence or because the victims withdrew their complaints. Authorities normally declined to become involved in domestic disputes, and the victims frequently were reluctant to issue formal complaints.

Prostitution is prohibited constitutionally; however, there is no specific legislation against working as a prostitute. Trafficking in women for the purpose of prostitution was a serious problem, despite laws against procuring and kidnapping for purposes of sexual exploitation (see section 5, Trafficking). Sex tourism was a problem, fueled by pervasive poverty and the perception of impunity. Despite sporadic crackdowns on brothel operators in Phnom Penh, prostitution and trafficking related to it persisted. Estimates of the number of working prostitutes ranged from 14,725 to 18,250.

The labor law has provisions against sexual harassment in the workplace, and the International Labor Organization (ILO) reported that sexual harassment in the industrial sector was rare. However, a local NGO study conducted on women working in the beer promotion industry reported widespread harassment: 83 percent experienced derogatory behavior, 80 percent faced unwanted sexual touching, 54 percent were physically abused, and 60 percent had been threatened, sometimes at gun point. A large number of NGOs provided training for poor and vulnerable women that addressed social problems such as spousal abuse, prostitution, and trafficking. A local media center produced and broadcast programming on women's issues. NGOs provided shelters for many women in crisis.

The constitution contains explicit language providing for equal rights for women, equal pay for equal work, and equal status in marriage. In practice women had equal property rights, the same legal status to bring divorce proceedings, and equal access to education and some jobs; however, cultural traditions continued to limit the ability of women to reach senior positions in business and other areas. In September the National Assembly passed a domestic violence law to prevent domestic violence and protect victims from domestic abuse. The law breaks from the cultural tradition of noninvolvement in domestic life, allowing citizens and government authorities to intervene to prevent domestic abuse. The Ministry of Women's Affairs, mandated to protect the rights of women and promote gender equality in society, produced the *Neary Ratanak* (Women as Precious Gems) Program. The program aimed to improve the image of women through gender mainstreaming, enhanced participation of women in economic and political life, and protection of women's rights. Demographic trends and a history of conflict have resulted in increasing female participation in the labor force. According to a 2001 labor force survey, women made up 52 percent of the population, 60 percent of agricultural workers, 85 percent of the business work force, 70 percent of the industrial work force (due to the high proportion of women working in garment factories), and 60 percent of all service sector workers (dominated by the tourism industry). Women often were concentrated in low-paying jobs and largely were excluded from management positions. Men made up the vast majority of the military, police, and civil service.

Children

The constitution provides for children's rights, and the government made the welfare of children a specific goal. The government relied on international aid to fund most child social welfare programs, resulting in only modest funds for problems that affect children.

Children were affected adversely by an inadequate education system. Education was free, but not compulsory, through grade nine. Many children either left school to help their families in subsistence agriculture, began school at a late age, or did not attend school at all. A Ministry of Education (MOE) report issued in 2005 stated that 91 percent of eligible children were enrolled in primary school but only 26 percent of eligible students attended junior high and 9 percent attended high school. Despite an extensive school construction program, schools were overcrowded and lacked sufficient equipment. In rural areas, schools often provided only a few years of education. According to MOE data, 46 percent of schools lacked drinking water and 37 percent had no toilets. Teachers' salaries were irregularly paid and inadequate to support a decent standard of living, leading to demands for unofficial payments from parents, which the poorest families could not afford. The government did not deny girls equal access to education; however, families with limited resources often gave priority to educating boys. In many areas, schools were remote and transportation was a major problem. This especially affected girls because of safety concerns in traveling between their homes and schools.

Children frequently suffered from malnutrition, and the health care system was inadequate. According to the 2004 Cambodia Inter-Censal Population Survey, infant mortality was estimated at 66 per 1,000. It was also estimated that the mortality rate for children between the ages of 1 and 4 years was 17 per 1,000.

Child abuse was believed to be common, although no statistics were available. A domestic NGO estimated that more than 1,200 street children in Phnom Penh had no relationship with their families and more than 10 thousand children worked on the streets but returned to their family homes in the evenings. It was estimated that there were between 500 and 1,500 children living with their families on the streets in provincial towns. A local NGO reported a monthly intake of approximately 60 street children into its shelter for vocational and literacy training. The NGO reported observing 80 to 100 new children on the street every month. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) provided lower statistics, reporting 3,084 street children nationwide. In June 2004 the governor of Phnom Penh began a controversial roundup of street children who were deemed "an eyesore to the outside tourists." The media reported that government officials stated the children were being sent to an NGO in Banteay Meanchey Province for drug rehabilitation. Many children were released on the roadside outside the city and subsequently returned to Phnom Penh; however, some children were never accounted for, and no NGO claimed to have received them.

Sexual intercourse with a person under age 15 is illegal; however, child prostitution and trafficking in children occurred (see section 5, Trafficking). In 2000 the government adopted a five-year plan against child sexual exploitation that emphasized prevention through information dissemination and protection by law enforcement (see section 5, Trafficking). A local NGO reported having investigated 29 cases of child sexual exploitation, which resulted in the arrest of 5 foreign pedophiles. Three perpetrators were charged and awaiting trial. Two pedophiles were sentenced to 15 and 10 years' imprisonment, respectively. Child rape remained a serious issue; a local NGO reported 65 cases of rape involving children below 10 years of age during the year; the youngest victim was 4 years old.

The illegal purchase and sale of children for prostitution was a problem. During the year raids on brothels rescued underage girls who were trafficked for prostitution.

Child labor was a problem in the informal sector of the economy (see section 6.d.).

Trafficking in Persons

The 1996 Law on the Suppression of Kidnapping, Trafficking, and Exploitation of Humans (the trafficking law) prohibits trafficking in persons; however, persons were trafficked to, from, and within the country. The trafficking law establishes a prison sentence of 15 to 20 years for a person convicted of trafficking in persons under 15 years of age; the penalty is from 10 to 15 years for trafficking persons age 15 or older. In October 2004, at the Coordinated Mekong Ministerial Initiative Against Trafficking meeting, the country joined five other countries in the region in signing a memorandum on regional antitrafficking cooperation. In March the six governments approved a plan of action to serve as a blueprint to build cooperation amongst the countries. The trafficking law contains no provisions to protect foreign victims from being charged under the country's immigration laws, but during the year there were no reported cases of trafficking victims being treated as illegal immigrants.

While the government has increased arrests and prosecutions of traffickers and continued its support for prevention and protection programs through collaboration with foreign and domestic NGOs and international organizations, its antitrafficking efforts continued to be hampered by reports of corruption and a weak judicial system. According to the MOI, police investigated 612 cases of child sexual exploitation, rape, debauchery, and human trafficking. During the year police arrested 397 offenders, of whom 73 were for human trafficking. A legal advocacy NGO brought 47 trafficking cases to court, of which 15 went to trial. Convictions were obtained against 8 traffickers with sentences ranging from 2 to 15 years' imprisonment and civil compensation issued to victims ranging from \$120 to \$715 (500 thousand to 3 million riel). In June a Dutch man acquitted in 2004 by the Phnom Penh Municipal Court was convicted of debauchery by the appeals court and sentenced to 10 years in prison in addition to paying \$250 (1 million riel) to each of his 6 victims.

Several government ministries were active in combating trafficking. In 2000 the government adopted a five-year plan against child sexual exploitation that emphasized prevention through information dissemination and protection by law enforcement. The government has established mechanisms for monitoring and reporting on the plan and has established a Department of Anti-Human Trafficking and Juvenile Protection. There were specialized MOI antitrafficking divisions in all provinces and municipalities. In June three new hotlines were established in provincial towns to receive reports of human trafficking and sexual exploitation. During the year the hotlines received 732 calls, of which 330 were related to trafficking and sexual exploitation. These cases fell into 4 categories: rape (190 cases), child sexual exploitation

(50), human trafficking (70), and debauchery (24). MOSAVY worked with the International Organization for Migration (IOM) to repatriate trafficked victims from Thailand to Cambodia and from Cambodia to Vietnam. However, repatriation to Vietnam continued to be a long and arduous process. In addition the MOSAVY worked with the United Nations Children's Fund and local NGOs to manage community-based networks aimed at preventing trafficking. The Ministry of Women's Affairs continued a public education campaign against trafficking, focusing on border provinces. In October the government signed an MOU with Vietnam on bilateral cooperation to eliminate trafficking in women and children and assist victims of trafficking.

The country is a source, destination, and transit country for men, women, and children trafficked for the purposes of sexual exploitation and labor. A 2003 study estimated the number of trafficking victims in the sex industry to be approximately 2 thousand victims, approximately 80 percent of whom were Vietnamese women and girls. Some Vietnamese women and girls were trafficked through the country for exploitation in the commercial sex trade in other Asian countries.

Children were trafficked to Thailand and Vietnam for begging, soliciting, street vending, and flower selling. These children frequently were placed into debt bondage to beg or sell, or they formed part of organized begging rings even when there was no debt or economic hardship involved. One study by MOSAVY found that 76 percent of trafficked persons returned from Thailand came from families who owned land, 93 percent owned their own house and had no debt on the land or house, and 47 percent of trafficked persons stated that their mother was the facilitator. There was an increase in the trafficking of women to Malaysia to work in the sex industry.

Trafficking victims, especially those trafficked for sexual exploitation, faced the risk of contracting sexually transmitted diseases, including HIV/AIDS. In some cases victims were detained and physically and mentally abused by traffickers, brothel owners, and clients.

Traffickers used a variety of methods to acquire victims. In many cases victims were lured by promises of legitimate employment. In other cases acquaintances, friends, and family members sold the victims or received payment for helping deceive them. Young children, the majority of them girls, were often "pledged" as collateral for loans by desperately poor parents; the children were responsible for repaying the loan and the accumulating interest. Local traffickers covered specific small geographic areas and acted as middlemen for larger trafficking networks. Organized crime groups, employment agencies, and marriage brokers were believed to have some degree of involvement.

It was widely believed that some law enforcement and other government officials received bribes that facilitated the sex trade and trafficking in persons. In March four officials were suspended for extorting money from brothel owners in exchange for release from custody. In July the officials were formally charged. At year's end the criminal investigation was in progress, and one of the officials was placed in pretrial detention.

The MOSAVY referred trafficking victims to NGOs, which provided most assistance to the victims. The government participated as a partner in a number of these efforts; however, its contributions were hampered severely by limited resources. Some victims were encouraged by NGOs and the MOI to file complaints against perpetrators; however, in the general climate of impunity, victim protection could be problematic, and victims were known to be intimidated into abandoning their cases. The MOSAVY reported that from January to July, 261 victims were rescued, rehabilitated, and reintegrated into their families. During the year the MOSAVY also repatriated 145 women and children from Thailand and 1,216 from Vietnam, reintegrating the victims with their families. MOSAVY repatriated 13 trafficked Vietnamese girls. There were no reports of trafficked victims punished as illegal migrants.

During the year NGOs worked with the Ministry of Women's Affairs to repatriate 23 victims of sex trafficking from Malaysia, bringing to 40 the number of repatriated victims from Malaysia since 2003. The MOI was conducting an investigation into the trafficking of women and girls to Malaysia for sex.

In each of the provinces and municipalities, the government has established specialized antitrafficking and juvenile protection divisions, which raided a number of brothels and rescued numerous victims, including underage workers. The government provided most rescued victims with protection and worked with NGOs either to reunite the victims with their families or place them in a shelter. Trafficking victims, especially those exploited sexually, faced societal discrimination, particularly in their home villages and within their own families, as a result of having been trafficked.

In December 2004 the MOI's Antitrafficking and Juvenile Protection Police raided a notorious Phnom Penh hotel, detaining 8 suspected traffickers and placing 83 women and girls from the hotel under NGO care. A day after the raid the suspects were released by police, and a mob of family members and other unidentified persons removed or caused to be released 91 women and girls from the NGO shelter, including the 83 women and girls taken from the hotel. Authorities did not determine how many of these women and girls were trafficking victims. The government's interministerial report on the incident was widely criticized by NGOs and the diplomatic community as lacking credibility. The hotel continued to operate freely until a September 7 police raid, which led to the rescue of three trafficking victims and the arrest of four individuals for their involvement in human trafficking, including the hotel's owner. Authorities closed the hotel, and it remained closed at year's end.

The government used posters, television, radio, and traditional local theater to raise public awareness of human trafficking. The Ministry of Women's Affairs, in conjunction with IOM, continued its major information campaign to raise awareness of trafficking in persons and safe migration. The IOM continued to work with the ministry throughout the year to expand the project to all provinces.

Persons with Disabilities

The government does not require that buildings or government services be accessible to persons with disabilities. The government prohibits persons with even minor disabilities from being teachers in public schools. In the most recent figures available dating from 1999, it was reported that there were 170 thousand persons with disabilities, including 24 thousand persons missing at least 1 limb and 6,744 persons

missing more than 1 limb. Disability due to landmines accounted for 11.5 percent of persons with disabilities, while disability due to congenital problems and disease accounted for 53 percent. Programs administered by various NGOs brought about substantial improvements in the treatment and rehabilitation of persons who had lost limbs, but they faced considerable societal discrimination, especially in obtaining skilled employment.

There are no legal limitations on the rights of persons with disabilities to vote or participate in civic affairs, but the government does not make any concerted effort to assist them in becoming more civically engaged. The Rehabilitation Department of the MOSAVY is responsible for making policy to protect the rights of persons with disabilities.

National/Racial/Ethnic Minorities

The rights of minorities under the 1996 nationality law are not explicit; constitutional protections are extended only to "Khmer people." Citizens of Chinese and Vietnamese ethnicity constituted the largest ethnic minorities. Ethnic Chinese citizens were accepted in society, but animosity continued toward ethnic Vietnamese, who were seen as a threat to the nation and culture. Some groups continued to make strong anti-Vietnamese statements. They complained of political control of the CPP by the Vietnamese government, border encroachment, and other problems for which they held ethnic Vietnamese at least partially responsible.

Indigenous People

The government often ignored efforts by indigenous communities to protect their ancestral lands and natural resources. In spite of the 2001 land law, which calls for the registration of communal lands of indigenous people, little has been done to implement communal land titling. NGOs have called for a moratorium on land sales and land concessions affecting indigenous communities.

International and local NGOs have been active in educating the indigenous communities about their land rights. In June a group of approximately 800 Phnong minorities protested against a company's incursion on to their ancestral lands (see section 1.f.). NGOs organized regional and provincial workshops for the indigenous communities to discuss traditional methods of land management and land titling laws; however, there were reports that provincial authorities placed some restrictions on minority villagers traveling to attend workshops outside their provinces (see section 2.d.).

Other Societal Abuses and Discrimination

Societal discrimination against those infected with HIV/AIDS remained a problem in rural areas; however, discrimination was moderated by HIV/AIDS awareness programs. There was no official discrimination against those infected with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The labor law provides workers with the right to form professional organizations of their choosing without prior authorization, and all workers are free to join the trade union of their choice. However, the government's enforcement of these rights was selective. Membership in trade unions or employee associations is not compulsory, and workers are free to withdraw from such organizations, although a few unions attempted to intimidate workers who wanted to withdraw. Unions may affiliate freely, but the law does not address explicitly their right to affiliate internationally.

The law does not apply to civil servants, including teachers, judges, and military personnel, or to household servants. Personnel in the air and maritime transportation industries were not entitled to the full protections of the law but were free to form unions. The law applies to all local and foreign workers.

Most workers were subsistence rice farmers, and although there was an expanding service sector, most urban workers were engaged in small-scale commerce, self-employed skilled labor, or unskilled day labor. Only a small fraction (estimated at less than 1 percent) of the labor force was unionized, and the nascent trade union movement was very weak. Unions suffered from a lack of resources, training, and experience. Unions were concentrated in the garment and footwear industries, where approximately 40 to 50 percent of the 280 thousand workers were union members. The Cambodian Tourism and Service Workers Federation, formed in 2003, represented more than 3,700 hotel, casino, and airport workers.

Due to prohibitions against public sector employees forming unions, the Cambodia Independent Teachers Association (CITA) is registered as an "association" and represented 7,850 members in 18 provinces and municipalities. Local and provincial authorities, acting on the government's orders, banned most of CITA's activities. Another public sector association, the Cambodian Independent Civil Servants' Association, was registered in January and represented more than 200 members from ministries, provincial departments, and commune councils throughout the country.

The law requires unions and employer organizations to file a charter and list of officers with the Ministry of Labor and Vocational Training (MOLVT). The MOLVT has registered 832 factory unions, 24 national labor federations, and 2 national confederations (alliances of several like-minded federations) since the law went into effect in 1997, including 202 unions, 5 federations, and 1 confederation during the year. There were no complaints that the government failed to register unions or labor federations; however, some unions and federations complained of unnecessary delays and costs. Although all unions collected dues from members, none was able to operate without outside sources of financial support.

Of the 24 national labor federations, 15 were allied with the government, including 11 that were part of the progovernment Cambodian Confederation of Trade Unions (CCTU). The remaining nine federations were independent of government ties; many of them had pro-opposition leanings or support. There was credible evidence of management involvement in some labor unions. In some factories, management appeared to have established their own unions, supported promanagement unions, or compromised union leaders. Independent union leaders complained that the CCTU frequently intervened in the affairs of other unions, extorted money from management in exchange for discouraging workers from conducting legal strikes and demonstrations, and threatened rival union leaders. In December one union federation withdrew from the CCTU.

The government's enforcement of the right of association and freedom from antiunion discrimination was poor, and MOLVT was significantly less active than its pre-July 2004 predecessor, the Ministry of Social Affairs, Labor, Vocational Training, and Youth. The government's enforcement efforts were further hampered by a lack of political will and by confused financial and political relationships with employers and union leaders. The government also suffered from a lack of resources, including trained, experienced labor inspectors, in part because it did not pay staff adequate salaries. The MOLVT often decided in favor of employees but rarely used its legal authority to penalize employers who defied its orders.

During the year there were credible reports of antiunion harassment by employers, including the dismissal of union leaders, in 20 garment factories and other enterprises. Employers sometimes relied on the courts to dismiss or punish union leaders. In four cases, union leaders were charged with inciting workers to strike and destroying private property. On several occasions dismissed union leaders accepted cash settlements after unsuccessfully appealing to the government to enforce laws requiring their reinstatement. At other times the government upheld labor rights. For example, according to MOLVT statistics, the MOLVT fined 68 companies for law violations and sued 6 companies on behalf of workers during the year.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively, but the government's enforcement of these rights was inconsistent. Wages were set by market forces, except in the case of civil servants, whose wages were set by the government.

Since passage of the 1997 labor law, there has been confusion about the overlapping roles of labor unions and elected shop stewards. The law provides unions the right to negotiate with management over wages and working conditions and allows unions to nominate candidates for shop steward positions. The law provides shop stewards the right to represent the union and sign collective bargaining agreements; however, in practice most factories elected shop stewards before a union was present in the enterprise. Many unions had no legally enforceable right to negotiate with management if a nonunion shop steward had been elected. In addition the law specifically protects elected shop stewards from dismissal without permission from the MOLVT, but it grants no such protection to elected union leaders. In 2000 MOLVT issued a regulation that gave trade unions roles comparable to those of shop stewards and extended protection from dismissal to certain union officers within an enterprise; however, these protections for union leaders have not proved effective.

During the year there were 15 collective bargaining agreements registered with the MOLVT, most of which were conciliation agreements, which did not meet international collective bargaining standards. Only five genuine collective bargaining agreements existed within the garment industry. These agreements provided additional health and welfare provisions such as extra sick leave and maternity leave, factory clinic upgrades, and union-controlled welfare funds.

A 2001 regulation established procedures to allow unions to demonstrate that they represent workers for purposes of collective bargaining. The regulation also established requirements for employers and unions regarding collective bargaining and provided union leaders with additional protection from dismissal. The Bureau of Labor Relations facilitated the process of union registration and certification of "most representative status" for unions, a status that entitled a union representing an absolute majority of workers in a given enterprise to represent all of the workers in that establishment. The MOLVT granted most representative status to 23 unions. Other unions that have applied for this status but not received it complained of unnecessary bureaucratic delays.

The law provides for the right to strike and protects strikers from reprisal. The MOLVT reported that 67 strikes occurred during the year, most of which violated prestrike legal requirements. The law stipulates that strikes can be held only after several requirements have been met, including the failure of other methods of dispute resolution (such as negotiation, conciliation, and arbitration), a union organizing committee vote by secret ballot, and a seven-day advance notice to the employer and Ministry of Labor. Union leaders, in contrast, maintained that twice as many strikes had actually taken place, the majority of which were legal. Unions complained that a severe lack of MOLVT involvement led to a dramatic increase in industrial action from July 2004 until June.

The government allowed most strikes held at factories but denied worker requests to hold protest marches outside of the factory district. Police intervention at strikes generally was minimal and restrained, even in those cases where property damage occurred. Police presence at the few marches that occurred tended to be excessive and often included a specialized police intervention unit.

On January 20, police arrested two union leaders, including Chea Mony, president of the Free Trade Union of the Workers of the Kingdom of Cambodia, for illegally organizing a labor strike in Phnom Penh, which prompted an outcry from workers and human rights groups. The two men were released from police custody on the same day in exchange for promising to stop conducting illegal protests.

On February 15, antiriot police fired assault rifles and used electric batons to break up a protest by approximately one thousand workers demanding redundancy payment from a garment factory that was closed. Observers estimated that 18 protesters were injured in the clash between workers and the police.

On May 11, three union leaders from the Federation Union of Solidarity were arrested on charges of extorting money from a garment factory.

They were released a week after negotiations with a high-ranking government official; at year's end their case was pending in court.

In spite of legal provisions protecting strikers from reprisals, there were credible reports that workers were dismissed on spurious grounds after organizing or participating in strikes. In some cases strikers were pressured by employers to accept compensation and leave their employment.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including forced labor by children, but the government did not enforce its provisions adequately. Involuntary overtime remained widespread. Under the law, legal overtime work cannot exceed two hours daily and must be voluntary; however, in practice overtime was often extended beyond the legal limit, and employers used coercion to force employees to work. Workers often faced fines, dismissal, or loss of premium pay if they refused to work overtime.

There also were reports of isolated cases of forced labor by domestic servants.

Forced child labor was a serious problem in the commercial sex industry (see sections 5 and 6.d.).

d. Prohibition of Child Labor and Minimum Age for Employment

The government has adopted laws to protect children from exploitation in the workplace. The labor law establishes 15 years as the minimum age for employment and 18 years as the minimum age for hazardous work. The law permits children between 12 and 15 to engage in "light work" that is not hazardous to their health and does not affect school attendance.

In late August the National Assembly ratified ILO Convention 182 on the worst forms of child labor. The king signed it into law in October.

Law enforcement was often weak. No aspect of the law was adequately enforced in the formal employment sector, including the provisions against child labor. No employer has been prosecuted for violating laws against child labor. MOLVT has responsibility for child labor issues in both the formal and informal sectors of the economy, but its labor inspectors played no role in the informal sector or in enforcing the law in illegal industries. Within the formal sector, labor inspectors conducted routine inspections of some industries, such as garment manufacturing (where the incidence of child labor is negligible), but in some industries with the highest child labor risk, labor inspections were entirely complaint-driven.

Of children between ages 5 and 17, 53 percent were employed; one-third of these children were above 14. Approximately 71 percent of them worked in agricultural, farming, or forestry activities; 21 percent in sales or service; and 7 percent in production work.

The constitution prohibits forced or bonded child labor; however, forced child labor was a serious problem in the commercial sex industry (see section 5). Law enforcement agencies failed to combat child prostitution in a sustained, consistent manner. Widespread corruption, lack of transparency, inadequate resources, and staffing shortages remained the most challenging obstacles.

e. Acceptable Conditions of Work

The law requires the MOLVT to establish minimum wages based on recommendations from the Labor Advisory Committee, a group that had not met since July 2004. By law the minimum wage may vary regionally. In 2000 the Labor Advisory Committee approved a minimum wage equivalent to \$45 per month, but this extended only to the garment and footwear industries. Most garment and footwear factories respected the minimum wage. There was no minimum wage for any other industry.

Garment workers earned an average wage equivalent to \$65 per month, including overtime and bonuses. Prevailing monthly wages in the garment sector and many other professions were insufficient to provide a worker and family with a decent standard of living. Civil service salaries also were insufficient to provide a decent standard of living, requiring government officials to secure outside sources of income, in many cases by obtaining second jobs or collecting bribes.

The law provides for a standard legal workweek of 48 hours, not to exceed 8 hours per day. The law stipulates time-and-a-half for overtime and double time if overtime occurs at night, on Sunday, or on a holiday; however, the government did not enforce these standards effectively. Workers in many garment factories reported that overtime was excessive or involuntary or that they were required to work seven days per week. Similarly, outside the garment industry, regulations on working hours were rarely enforced.

The law states that the workplace should have health and safety standards adequate to ensure workers' well-being. The government enforced existing standards selectively, in part because it lacked trained staff and equipment. Work-related injuries and health problems were common. Most large garment factories producing for markets in developed countries met relatively high health and safety standards as conditions of their contracts with buyers. Working conditions in some small-scale factories and cottage industries were poor and often did not meet international standards. The government issued several instructions on workplace standards, and more detailed regulations awaited approval by the Labor Advisory Committee before they could be promulgated. Penalties are specified in the law, but there are no specific provisions to protect workers who complain about unsafe or unhealthy conditions. Workers who removed themselves from unsafe working conditions risked loss of employment.



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