

NEWSLETTER
KAS
CAMBODIA OFFICE
47TH EDITION
October 2013

The following articles are a composition of press releases in Cambodia during the month of October.

Gráinne Ryan

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Post-Election Phase

The ruling CPP convened the National Assembly (NA), taking their 68 seats on September 23rd. They proceeded to form the government, albeit without the cooperation of the opposition CNRP, whose 55 lawmakers continue to boycott the government with demands to hold the presidency of the NA as well as dramatic election and media reforms prior to collaboration. King Norodom Sihamoni signed a Royal Decree (reachkret) on September 27th which allowed PM Hun Sen to self-appoint 21 personal advisers and 34 personal assistants; totalling just over half the number in his last government. In a 5-hour speech on September 29th, Hun Sen spoke about a “transparent and accountable” government, in which the judiciary, among other areas, will be reformed.

CNRP held a “party congress” in Freedom Park on October 6th, during Pchum Ben celebrations, where 10,000 supporters were encouraged to voice their opinions and suggest reforms. It resulted in the creation of a 10-point plan which the opposition hopes will pressure CPP into action. Sam Rainsy appealed to the European Union, the World Bank, the International Monetary fund and the Asian Development Bank to halt the transfer of funds to Cambodia due to the “constitutional coup and on-going political deadlock”. The party leader is currently on a two week overseas mission to gain support for CNRP and convince politicians that the current Cambodian government is “unconstitutional”. The five locations he will travel to comprise of Paris, London, Brussels (European Parliament), the US State Department and the UN HQ in New York. Some political analysts have criticised the trip, stating that it would be a better use of time if the party leader were to focus on negotiations with Hun Sen.

Originally following the official election results, the governments of China, Singapore, Japan, India and Brazil extended their congratulations to Hun Sen, while European and American heads of State refrained from doing so; citing the need for investigation into election conduct due to “irregularities”. However, the past week has seen both Australia and France (key international donors in Cambodia) change tact, complimenting Hun Sen on his victory and solidifying key partnerships between the nations.

Minister of Interior Sar Kheng wrote a letter of appreciation to the armed forces on October 1st congratulating them on security and safety throughout the elections; “National and international public opinions have evaluated that it was fair, free, safe, non-violent and with no intimidation”. Kheng conveniently failed to address two clashes on September 15th and 22nd. The first was between AK-47 armed police, military and stone-throwing civilians; resulting in one death and several injuries. The second incident occurred when a plain-clothes mob of men (backed up by police) armed with electric tasers, batons and slingshots with marble pellets descended upon peaceful protesters at Wat Phnom; resulting in several injuries to journalists, rights activists and an elderly woman.

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The NEC conceded that the voter list from July 28th elections had 270,000 replicated names, which will be removed. On the opening day of registration, Sam Rainsy applied to re-register his name on the NEC voter list, as it had been removed last year due to 'criminal charges'. This will allow the CNRP leader to become a lawmaker in 2014, should any CNRP lawmaker resign their position.

CPP held the first NA Plenary Session on Thursday, October 10th, in which the members of 9 technical committees were appointed by the chairpersons and voted on by the 68 single-party attending members. The threat remains that if CNRP refuse to take their seats in the NA, CPP will "redistribute" their allocation in the coming months.

CNRP has confirmed they will go ahead with another mass demonstration scheduled for October 23rd, which marks the 22nd anniversary of the Paris Peace Agreements (1991). The party is also planning nationwide civil disobedience in the form of a strike which will take place soon after October 23rd.

FurtherReading:

CPP Readies for One Party Vote on Assembly Committees

<http://www.cambodiadaily.com/elections/cpp-readies-for-one-party-vote-on-assembly-committees-44695/>

CNRP Confirms Mass Protest

<http://www.phnompenhpost.com/national/cnrp-confirms-mass-protest>

Watchdogs are Accused of Conspiring with CNRP

<http://www.phnompenhpost.com/national/watchdogs-accused-conspiring-cnrp>

Planned Rally is too large; City Officials Say

<http://www.phnompenhpost.com/national/planned-rally-too-large-city-officials-say>

Politics Suspected Murder

<http://www.phnompenhpost.com/national/politics-suspected-murder>

Rainsy is Fighting for Global Support

<http://www.phnompenhpost.com/national/rainsy-fighting-global-support>

Opposition asks ADB to Suspend Funding to Cambodia

<http://www.voacambodia.com/content/opposition-asks-ADB-to-suspend-funding-to-cambodia/1766436.html>

Grenade Attack Remembered Amid Promised Reform

<http://www.cambodiadaily.com/selected-features/grenade-attack-remembered-amid-promised-reform-43996/>

Sar Kheng Commends Armed Forces for Peaceful Election

<http://www.cambodiadaily.com/elections/sar-kheng-commends-armed-forces-for-peaceful-election-44161/>

Hun Sen Appoints 55 New Personal Advisers and Assistants

<http://www.cambodiadaily.com/elections/hun-sen-appoints-55-new-personal-advisers-and-assistants-44163/>

Opposition Lays out Reform Demands at Peoples Congress

<http://www.cambodiadaily.com/elections/opposition-lays-out-reform-demands-at-peoples-congress-44450/>

1st CPP National Assembly Plenary Session set for Thursday

<http://www.cambodiadaily.com/elections/first-cpp-national-assembly-plenary-session-set-for-thursday-44452/>

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Rainsy Registers as Voter Opening the Road to the National Assembly
<http://www.cambodiadaily.com/elections/rainsy-registers-as-voter-opening-road-to-national-assembly-44570/>

King Sihamoni Signs Decree Terminating all Advisory Positions
<http://www.cambodiadaily.com/news/king-sihamoni-signs-decree-terminating-all-adviser-positions-44720/>

Khmer Rouge Tribunal

September 9th saw the KRT absorb another blow as the head international prosecutor Andrew Cayley resigned while the first trial in Case 002 against senior KR leaders comes to completion. Over the past three months, 140 Cambodian staff members were forced to unite and strike due to unpaid wages. Similarly, the national court maintains a dearth of funds to compensate approximately 4,000 civil party victims if the defendants Nuon Chea and Khieu Samphan are convicted. The responsibility of raising money for reparations has been delegated to the understaffed Victim Support Section and the overworked civil party lawyers. Meanwhile, the deadline for final submissions on civil party reparations has been extended to October 8th. The victims have called on the UN to ensure prosecution and justice in the ECCC; however, the Cambodian government must meet its legal and financial obligations under the agreed terms of the hybrid court system if the UN is to maintain further support and involvement. Despite these obligations, PM Hun Sen met UN Secretary General Ban Ki-moon at the 23rd ASEAN Summit on October 10th, where he asked for further financial aid for the KRT. This apparent request has come as a surprise to many people in Cambodia as the PM has previously expressed his personal distaste toward the ECCC, stating that "instability could occur if Cases 003 and 004 went to trial". October 14th marked the day that the government stepped forward and agreed to pledge their remaining \$1.8million, ensuring the court will function at least until the close of 2013.

FurtherReading:

International Prosecutor Resigns from KR Tribunal
<http://www.cambodiadaily.com/news/international-prosecutor-resigns-from-kr-tribunal-41982/>

Civil Parties Call for UN to Save KR Tribunal
<http://www.cambodiadaily.com/news/civil-parties-call-for-un-to-save-kr-tribunal-42141/>

KR Tribunal Lacks Funds to Pay Reparations
<http://www.cambodiadaily.com/news/kr-tribunal-lacks-funds-to-pay-reparations-42206/>

Monitor Slams Court for Reparation Plans
<http://www.phnompenhpost.com/national/monitor-slams-court-reparation-plans>

Striking KRT Staff to get Company on Picket Line
<http://www.phnompenhpost.com/national/striking-krt-staff-get-company-picket-line>

Deadline for Reparations Pushed Back
<http://www.phnompenhpost.com/national/deadline-reparations-pushed-back>

UN's Ban Makes Call for Donations to KRT
<http://www.phnompenhpost.com/national/un%E2%80%99s-ban-makes-call-donations-kr>

UN says Government to Blame for Shortfall
<http://www.phnompenhpost.com/krt-talk/un-says-government-blame-shortfall>

Hun Sen to Raise Court Funding Crisis with Ban Ki-moon

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<http://www.cambodiadaily.com/news/hun-sen-to-raise-court-funding-crisis-with-ban-ki-moon-44710/>

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Climate Change and Extreme Weather Events

The IPCC Working Group (I) released the fifth assessment report at the end of September evidencing the severe impact that humans are having on global and local climates. "As the ocean warms, and glaciers and ice sheets reduce, global mean sea level will continue to rise, but at a faster rate than we have experienced over the past 40 years," said Co-Chair Qin Dahe at a Press Conference on September 27th in Stockholm. Extreme precipitation is a major cause for concern in Cambodia, as flash flooding has killed hundreds of citizens in the past (most notably in 1996 when 169 were reported dead). At the time of the IPCC report, more than 1,500 families had to be evacuated from the Stung Treng Province to higher land. Agriculture is also suffering as hundreds of hectares across 4 provinces have been flooded for up to 4 weeks, destroying the crops and seriously affecting the livelihood of the farmers.

The opening of floodgates in Thailand has been partly afforded blame by the district administrative police Chief Chhun Sorngly in O'Beichoan commune in Banteay Meanchey's O'Chrou district, as part of the Mekong River has surged and already burst its banks. Vietnamese authorities have also warned North-eastern Cambodian districts of their plan to open a water gate later this week. Thai authorities have further stated that they may be forced to open an overflowing dam this week. As of October 9th, the death toll due to flooding has reached 122 nationwide, with a further estimated 800,000 people and 120,000 hectares of land in 17 Provinces already seriously affected. Over 500 schools, spread across 6 provinces, have remained closed due to flooding.

North-western provincial prisons (with no sanitation), such as Banteay Meanchey, are experiencing water levels of up to 90 centimetres surrounding the prison, yet no evacuation procedures have been implemented thus far. Prison Director Hin Sophal assured media and human rights groups that the water is being controlled and is not affecting the prisoners.

A further concern regarding extreme weather in Cambodia is that of lightning. There is a huge need for nationwide education campaigns on the dangers and precautions to be taken during lightning strikes. Thus far in 2013, there has been 100 reported deaths due to lightning, with a further 47 dead animals and 74 injured people.

FurtherReading:

Flooding's Toll Still Growing
<http://www.phnompenhpost.com/national/flooding%E2%80%99s-toll-still-growing>

Climate Report Paints Dismal Picture for Region
<http://www.phnompenhpost.com/national/climate-report-paints-dismal-picture-region>

IPCC Press Release Fifth Assessment Report: Working Group 1
http://www.ipcc.ch/news_and_events/docs/ar5/press_release_ar5_wgi_en.pdf

Flooding Closes 513 Schools

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<http://www.phnompenhpost.com/national/flooding-closes-513-schools>

Inmates Watch as Waters Near
<http://www.phnompenhpost.com/national/inmates-watch-waters-near>

Flood Toll Expected to Rise Further, Government Warns
<http://www.phnompenhpost.com/national/flood-toll-expected-rise-further-gov%E2%80%99t-warns>

Lightning Deaths Reach 100 This Year
<http://www.phnompenhpost.com/national/lightning-deaths-reach-100-year>

Floods Could Surpass '96 Levels
<http://www.phnompenhpost.com/national/floods-could-surpass-%E2%80%9996-levels>

Floods Deadly Toll Contested
<http://www.phnompenhpost.com/national/flood%E2%80%99s-deadly-toll-contested>

Flooding Spreads to Svay Rieng; 17 Provinces now Affected
<http://www.cambodiadaily.com/news/flooding-spreads-to-svay-rieng-17-provinces-now-affected-44702/>

Economic Land Concessions, Deforestation, Dredging and Conservation

Despite legal land title rights, muted and sometimes secretive, government-led, developer-encouraged ELC's are a prevailing norm in Cambodia. At this moment in time, there is only partial data on the number and size of ELC's that have been leased, or are in the planning stage. Open Development Cambodia has compiled a list and an interactive map which highlights the partial dataset of ELC's (see Figure 1).

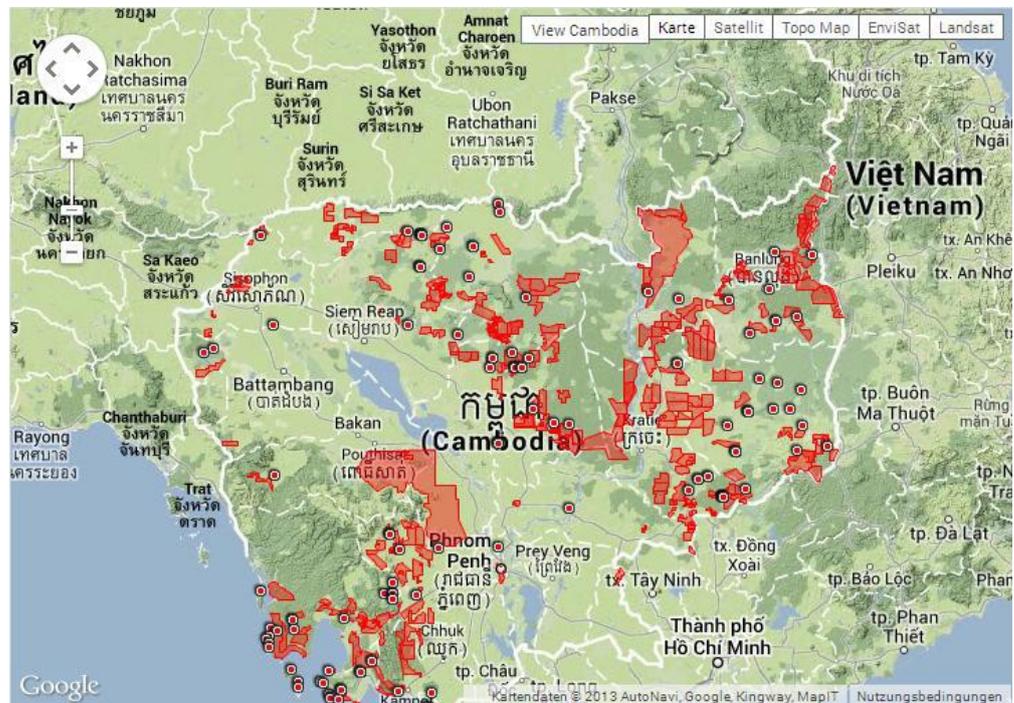


Figure 1: ELC's in Cambodia (Government data, secondary source and other).

Source: <http://www.opendevdevelopmentcambodia.net/maps/>

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While the new government strategy states it will reduce ELC's, they plan to increase Social Land Concessions. There is widespread scepticism from citizens, NGO's and conservationists as this has been promised in the past, with no fruitful outcome. In 2012, nearly 400,000 hectares of land were transferred or granted as ELC's. Of this, over 70% comprised of supposedly 'protected' forests and wildlife habitats. The Natural Resource and Wildlife Preservation Organisation (NRWPO) has called on the UN to investigate over 200 officials in Kampong Speu province's Phnom Oral Wildlife Sanctuary accused of illegal deforestation. It is a common occurrence that conservation activists are threatened, intimidated and occasionally their personal property is destroyed.

Four commune representatives in Kompong Tralach, who have been fighting for their land since 2007, received death threats this week. The anonymous letter warned the villagers not to attend opposition CNRP rallies, unless they want their children orphaned. Similarly, two elderly monks, who have been actively protecting over 300 hectares of forest for the past 10 years, claimed that a gun had been fired into their home as an intimidation tactic by those unhappy with their conservation efforts and support for the opposition CNRP. Earlier this year, 17 peacocks belonging to the monks were poisoned.

Illegal riverbank dredging is another pivotal concern, especially in consideration of the current flooding endemic. Unlicensed boats with unapproved pumps and little technical standards continually set up operations in shallow areas, resulting in the collapse of the riverbank as water levels rise. Last week, Provincial authorities in Kandal's Department of Water Resources and Meteorology seized approximately 40 boats and 100 sand dredgers which are believed to be unlicensed.

FurtherReading:

Activists Seek UN Monitors

<http://www.phnompenhpost.com/national/activists-seek-un-monitors>

Boats Seized during Dredging Crackdown

<http://www.phnompenhpost.com/national/boats-seized-dredging-crackdown>

Threats after Activism: Monks

<http://www.phnompenhpost.com/national/threats-after-activism-monks>

Latest ELC Plan Draws Scepticism

<http://www.phnompenhpost.com/national/latest-etc-plan-draws-scepticism>

Villagers in Land Row Complain of Death Threat

<http://www.cambodiadaily.com/news/villagers-in-land-row-complain-of-death-threat-44714/>

ELC's in Cambodia

<http://www.opendevelopmentcambodia.net/company-profiles/economic-land-concessions/>

ELC's and the Law in Cambodia

<http://www.e-ir.info/2013/06/18/economic-land-concessions-and-the-law-in-cambodia/>

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Justice?

The right to an official and competent investigation, a fair trial and justice for those who have been ill-treated demonstrate basic human freedoms; however, the past month in Cambodia has witnessed these rights denied in several cases. Two foreigners were targeted and shot in separate armed robberies at the end of September in Phnom Penh. A police investigation was quickly mounted and the perpetrators were caught in a sting operation amidst a police shoot-out on October 7th. In custody, the arrested, one of whom had been shot 4 times, confessed to 8 armed robberies in the past 4 weeks, including that of the two foreigners on September 27th and 28th. Unfortunately, the same effort and competence is rarely afforded when Cambodian nationals are targeted.

October 1st was marred by 3 horrific deaths in Kampong Chom Province. A man believed to have suffered with psychiatric disabilities, brutally beat and murdered his step-daughter and then proceeded to kill his wife, who had attempted to intervene, in their family home. 500 villagers and 30 police officers quickly gathered at the scene. The mob of villagers stormed Laing Pises, as he waved his wife's severed hand. He used agricultural tools known as scythes to dismember the two victims. Graphic video evidence was uploaded to YouTube depicting how Pises was repeatedly, viciously beaten by the mob, as the police stepped back. Provincial police Chief Chhay Kimson is quoted as saying "we will not question or arrest any villagers, because there were about 500 and that's simply too many. We cannot question them all. We are afraid the villagers would react angrily if we investigated". Police are afraid of the growing mob-mentality in Cambodia. This lack of investigation, prosecution and justice demonstrates a complete disregard for the rule of law, by both police and citizens.

FurtherReading:

Two Foreigners are shot in Robberies

<http://www.phnompenhpost.com/national/two-foreigners-shot-robberies>

Police have Suspect in American Shooting

<http://www.phnompenhpost.com/national/police-have-suspect-shooting-american>

Violence Begets Violence

<http://www.phnompenhpost.com/national/violence-begets-violence>

Struggling to Understand

<http://www.phnompenhpost.com/national/struggling-understand>

Cops Nab 2 in Foreigner Shootings

<http://www.phnompenhpost.com/national/cops-nab-2-foreigner-shootings>