

**Launching of Konrad-Adenauer-Stiftung's Media Study on:  
Freedom of the Press and Media Regulation in Cambodia  
– Approaches and Options for Democratic Diversity –**

**5<sup>th</sup> of May 2015  
07:45am-12:00pm  
Raffles Hotel Le Royal**

In the past months Andreas Oldag, senior German journalist and the present lecturer at the Department of Media and Communication (DMC), prepared together with the office of the Konrad-Adenauer-Stiftung (KAS) in Phnom Penh a study on the current legal and political framework of the media in Cambodia with a closer look on the freedom of press and possible advantageous options through the installation of a carefully constructed regulation.

The launch of the Media Study was held on the 5th May 2015 in front of a wider audience of 100 participants with guest from the Government, National Assembly, journalists, media and broadcasting companies, NGOs and media departments of universities.

The county representative of KAS in Cambodia, Denis Schrey, opened it. In his welcome speech he held that a safe environment for the work of journalists and the guarantee to freedom of speech in a democracy can be enhanced through a regulating framework of the media. Therefore, the study considers current issues of the media in Cambodia like problematic defamation sections in the criminal code, but also looks forward how to improve the given situation. Denis Schrey points out, that the development must aim to achieve and assure pluralism in the media, as social and political diversity must be reflected in the media coverage. This could be achieved through public broadcasting. The newly ongoing dialogue between the main parties shows the need for well balanced communication and supports the plan of a public broadcasting service governed by an independent board and based on pluralism that can be a future opportunity for Cambodia.

The culture of dialogue and consent must therefore grow and additional to the contribution of the Media Study KAS will remain strongly committed to support journalism and media communication in Cambodia. A long-standing involvement in this field is the support of the DMC and the Cambodian Club of Journalists (CCJ). Accordingly, Denis Schrey closed his welcome speech in commemoration of Rasmei Kampuchea, the former President of the CCJ who recently passed away.

The German Ambassador to Cambodia, Joachim Baron von Marschall, kindly opened the following exchange of information and ideas on media in Cambodia. He criticizes on the one hand sensational journalism that does not help to meet the need to inform the citizen. But on the other hand it is not only the media itself that can fail to fulfill its obligation of providing profound information. The German Ambassador shared his thoughts about the importance of well-informed citizen for an open and prosperous democracy. In his speech he remembered how the press helped to uncover and unveil unconstitutional acts of the government in the past and its indispensability as a fourth power. Unfortunately, there are many countries with the problematic situation that the government tries to shield itself from criticism through media restrictions.

In consideration of Article 19 of the International Covenant on Civil and Political Rights (ICCPR) the corresponding provisions in the Cambodian Constitution and sub-constitutional law to guarantee the freedom of media and to define its restrictions were mentioned. Cambodia provides freedom of opinion and the press, but on the same hand criminal restrictions are constricting the freedom in a doubtful way. Cambodia should therefore remind the progress of the civil society and its young citizen and start step into a culture of dialogue between politicians and the people, Joachim Baron von Marschall concluded.

Andreas Oldag presented his proposals to improve the media situation in Cambodia. He mentioned the common criticism that some journalist report in an unbalanced negative way. He held that negative reports are necessary to demand correction of problematic directions of the government and give impulse for important developments in society and the public. In line with this, journalists cannot report purely objective, as everyone has a certain background. If objectivity is demanded, it therefore cannot be an overall objectivity but an approach towards objectivity. With this approach it is the obligation of journalists to separate between journalism and entertainment, propaganda, fiction or art. To meet this criteria Andreas Oldag suggests the implementation of internal regulations. The regulation must be guided by the rule of law and founded on a qualified legal basis. He then prompted a regulatory model by stakeholders, a democratic framework for regulation negotiated and conceived by all involved parties, including media organizations, representatives from the civil society, and the government. Additionally, independent oversight and licensing through a broadcasting board was suggested.

Another point was the advantage of an Ombudsman to increase the trust in media by forming a new point of contact for complaints, aside of expensive and lengthy disputes in court.

In the following Q&A session Andreas Oldag explained the work of investigative journalists. Trained and experienced journalists look into serious cases, as in his opinion reporters have the task to dig out the truth and to look what is going on behind the scene. To do this journalist should investigate very thoughtfully and might need to work on one story for more multiple months.

A freelance journalist comments on the suggested establishment of regulations. He voiced the possibility that regulations would narrow the freedom of press even further and asked how an Ombudsman and press council could be financed. In his answer Andreas Oldag admitted that indeed financial and administrative needs have to be considered, but the gained benefits would overweight the costs. He also suggested that a step by step established press council would not need to be huge, with ten voluntarily serving independent experts it could already guarantee a valuable independent council.

The Media Study's launch was closed by a panel discussion moderated by Im Sothearith, with Martin Kröber, Pouy Piseth, Van Mouy Makara, and Thepchai Yong participating.

After mentioning the positive progress of Cambodia's media, as it became more diverse, Martin Kröber, Legal Advisor of the Central German Broadcasting Corporation, exemplarily explained the legal framework for public broadcasting in Germany. He promoted pluralism and independent quality through public broadcasting in a diverse media environment like Cambodia's.

Pouy Piseth, Deputy Director General for Information and Broadcasting at the Department of Ministry of Information, gave an overview over the media law in Cambodia and agreed that current challenges are the lack of quality of information and media in Khmer newspapers

compared to the existing professional English newspapers in Cambodia. He saw one reason for the comparably problematic situation of Khmer journalists in their bad reputation based on the corrupt practices of a few. In summary Pouy Piseth thanked for the given forum to discuss the situation of media in Cambodia and saw it as an invitation for further progress in cooperation with Cambodian media institutions.

Van Mouy Makara, Chief Coordinator of the News Department from South East Asia Radio and Television (SEATV), gave an overview of the current situation at SEATV. The station tried to implement its focus on education, culture and information by giving 50 percent of their airtime to news in a brought sense. An internal guideline should assure ethical standards about information and education. However, Van Mouy Makara sees the possibilities of SEATV limited by the obligation to finance itself through advertisement.

Subsequently an example for broadcasting independent from advertising was presented by Thepchai Yong, President of the Thai Broadcast Journalists Association and Former Director of Thai Public Broadcasting Service (PBS). He pointed out that one advantage of public broadcasting is its nature as made, financed and controlled by the public for the public. Financed by a special tax, PBS can guarantee pluralism, diversity, and independence. It provides public forums to discuss issues of interest like environmental challenges and allows citizen journalists to contribute content after special programs and trainings. A special audience council gives also further recommendations to the independent PBS.

Meas Sophorn, Under Secretary of State and Minister of Information, made the final closing words of the launch. He thanked KAS and appreciated the high value of the foundation's work. He stated that the freedom of press in Cambodia is advanced compared to other countries in the region and was open to further improve the media by coordinating legal regulations through the Ministry of Information. Meas Sophorn also recognized in his statement that the political order of Cambodia as a multi party democracy with freedom of expression for media and the acknowledgment of human rights for citizen can open a discourse that is based on researches like the Media Study to develop a supporting policy and improve the freedom of press in Cambodia.