



Challenges for Independent Media 2016

Published by the Cambodian Center for Independent Media (CCIM) with the generous support of the European Union



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Executive Summary

Although there were no physical attacks or lawsuits against journalists in 2016, media outlets operated in an environment that often placed intense pressure to report favorably on the government and their allies in the business community. Rising political tension ahead of commune elections in June 2017 and an accompanying wave of legal action against government critics had a chilling effect on journalists, even those working for outlets that perceive themselves as independent and free to report on a broad spectrum of sensitive issues.

Journalists working for these institutions, all of which are either foreign-owned or funded by foreign governments and donors, cited low salaries, a lack of access to information and the hostile and sometimes threatening disposition of some official sources as being the most significant challenges facing independent media. The majority still said they were able to report on sensitive topics without any business and political interference and without fear of repercussions.

Corruption was seen as the most difficult topic to report on, followed by border issues and land concessions. Interference and repercussions were most likely to come from publishers or owners, followed by authorities and politicians, according to journalists and experts surveyed, all of whom said they were willing to engage in or report on freedom of the press.

The biggest problems facing journalists across the industry in 2016 were low pay, government control or influence and a lack of access to information. Opinions on the main cause of unethical behavior among journalists was evenly divided between a culture of corruption and law pay.

Legal threats and prosecution was ranked as the fourth biggest problem facing the industry overall, but was felt most acutely at independent media outlets, where editors said they had become increasingly cautious about what they covered or how they covered it. The assassination of political analyst Kem Ley, a regular source for these outlets institutions, along with legal action against government critics hit close to home and heightened the perceived likelihood that such action could be taken against journalists.

Direct threats by Prime Minister Hun Sen to take legal action against media outlets who distorted his speeches, threats from the Ministry of Information to revoke the licenses of organizations who did not refer to the prime minister by his honorific “Samdech,” and the first family’s reaction to coverage of a report detailing their financial holdings were among the overt actions in what was widely seen as a campaign to in-

Figure 1: Key Findings

- **No physical attacks or lawsuits** against journalists for doing their jobs
- **Low pay** was cited as the biggest problem facing independent media, followed by government control over the media and a lack of access to information
- **Publishers and owners** were seen as being the most likely source of interference or repercussions against independent journalists, followed by authorities and politicians
- **Border issues and corruption** were viewed as the most difficult topics to cover, while health and crime were seen as the easiest
- **Low pay and a culture of corruption** were tied as the most significant factors leading to unethical practices among journalists

timidate or discredit media that was not aligned with the ruling party.

The government’s hold on media, including its control of all TV stations and a majority of radio and press outlets, which have long been used to marginalize or combat negative coverage in other media, was further loosened due to expanding internet penetration. However, the rapid shift of readers moving online – 2016 marked the first year that the internet was the most common source of news for Cambodians* – presented both opportunities and challenges to independent journalists. While it increased the overall readership of many traditional outlets, it has disrupted the business models, increased competition for readers and shaken the media landscape.

With the country facing deep uncertainty over the national election in July 2018, there was widespread concern among journalists as to whether a government that has been surprisingly tolerant of highly critical media outlets would shift its position and expand its campaign against critics into the media arena.

Methodology

The Challenges for Independent Media 2016 report is conducted by the Cambodian Center for Independent Media to identify the greatest obstacles to producing and disseminating independent journalism and to highlight significant changes to the country's media industry during the year.

Previous reports have been carried out by multiple staff members in cooperation with consultants who surveyed more than 100 media professionals at various professional levels and geographic locations. Due to constraints of time and budget, this year's report was carried out by one consultant who spoke with 22 editors, reporters, media owners, executives and industry experts based in Phnom Penh. It is therefore anecdotal in nature and aims to offer a qualitative review of 2016. A more extensive report is planned for 2017.

Due to the limited scope and sample size of this report, it does not include comparative data to previous years or rank media organizations by their perceived independence. Drawing on interviews with veteran journalists in Cambodia, most with more than a decade of experience and extensive contacts within the industry, it draws on both personal anecdotes and second-hand information about the situation of journalists in the country.

Interviews included a series of survey questions in which respondents were asked to score from 1 to 5 the biggest problems facing journalists, the most difficult topics to report, the main causes of unethical behavior and the greatest sources of interference and repercussions against journalists. Fifteen of the interviewees worked for media institutions that claim to

be independent, though almost a third of them did not feel entirely free to report on all topics or able to avoid influence from publishers, owners or outside political and business interests.

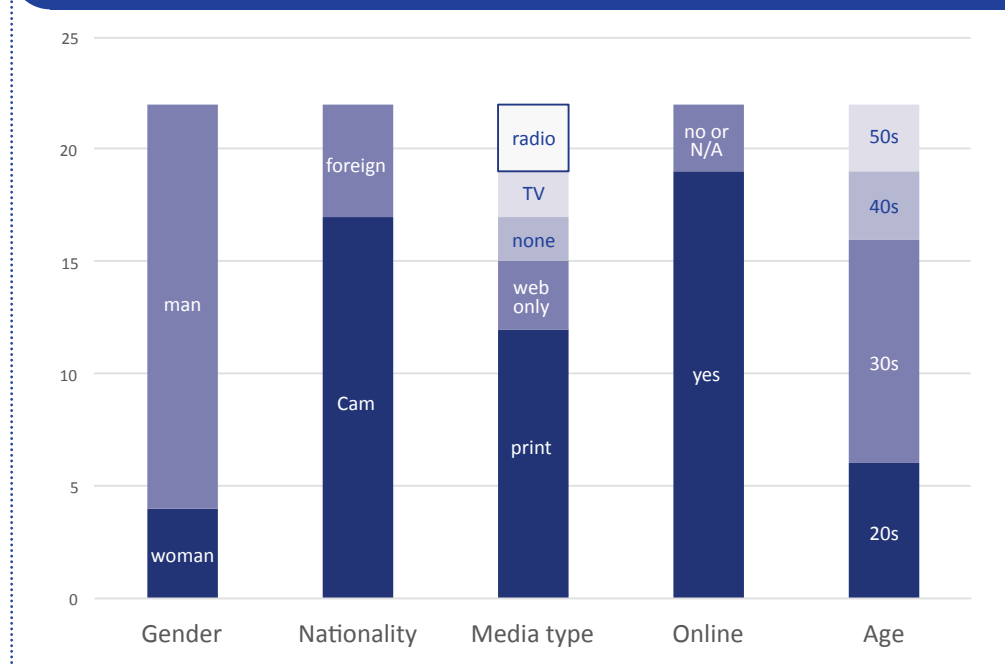
Five of the respondents were foreign nationals, including two from Australia, two from the US and one from the UK. About a quarter of interviewees were women, which is consistent with the relatively low number of women working in media. Three of the journalists worked for media organizations that they said had explicit in-house rules to avoid negative coverage of the government or businesspeople and advertisers. Interview subjects also included two directors of NGOs that monitor the media, including the one that commissioned this report, and a senior administrator at a media college.

Among journalists interviewed, six work for outlets that only publish in Khmer, while three journalists – two foreign freelancers and one international wire reporter – produce stories only in English. Most respondents work for organizations that publish in both languages. Four interviewees work for organizations traditionally associated with radio, while seven are employed by print-oriented outlets and two work mainly for television.

However, most of these outlets also publish content online and there was a consensus around the belief that the internet would increasingly cement its position as the country's most widely accessed media platform, for better or worse.

(Disclosure: The author of the report was an editor at The Cambodia Daily throughout 2016 but left the newspaper in April, 2017, before beginning research for this report.)

Figure 2: Makeup of report participants



Media Landscape

Cambodia continued to score low on international rankings of press freedom, and outlets that report critically on the government and others in positions of power faced increased threats or intimidation compared to recent years.

As usual, Cambodia's press was deemed "Not Free" by Freedom House in its latest report, while Reporters Without Borders (RSF) ranked Cambodia 132 out of 180 countries that were included in its World Press Freedom Index 2017, a fall of four spots compared to the previous year. "Government hostility towards independent media increased in 2016," RSF found, a claim that was supported by interviews with local journalists.

In contrast to journalists interviewed for this report last year, in which 70.6% said Cambodia's media industry was headed in the right direction, most of those interviewed this year said the situation was getting worse due to rising political tension and government oppression ahead of elections in July 2018. Others noted that a growth in pro-government outlets was pulling talented journalists away from more independent competitors.

While many journalists said that the rise of social media as the prime source of information for Cambodians was a crucial development, there was little consensus on whether it would ultimately help or hurt independent media outlets. While it ensured greater access to a plurality of voices for internet users, it also risked a decline in the value of established brands and traditional platforms.

Print Media:

The expansion of the internet has hit print as hard as any part of the media. Journalists said advertising revenues are shrinking as an ever-decreasing number of readers are actually purchasing newspapers and magazines. Recent surveys put the percentage of the population that turns to print first at statistically 0%, while only 11% of the population has ever read a magazine or newspaper.

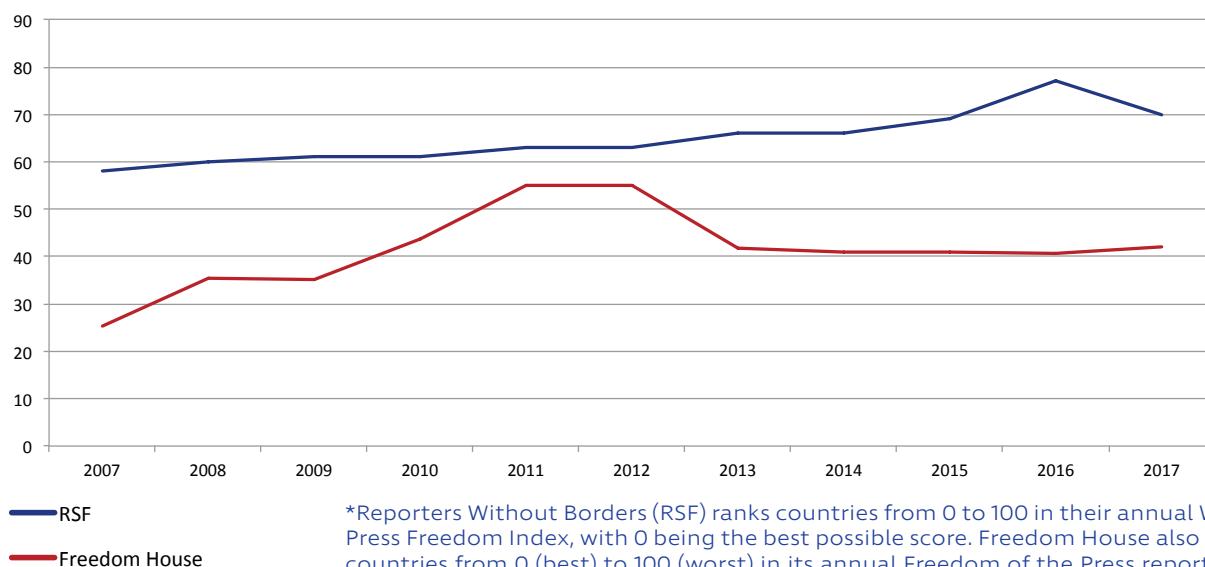
This has meant an expanded online presence for almost all of the country's major newspapers, regardless of political affiliation. A number of pro-government papers have created Khmer-language smartphone applications in an effort to compete in the digital space.

Though the government often touts the number of print outlets as a sign of the openness of the media, only 50 of 460 print outlets were actively publishing in 2015, according to the Media Ownership Monitoring (MOM) project, a joint effort by CCIM and Reporters Without Borders to increase transparency around media ownership in Cambodia.

That project also found that print was among the most partisan segments of the media. The top four outlets claimed 57% of readership, and three are owned by individuals or entities affiliated with the ruling party.

The English-language press, particularly the Cambodia Daily and Phnom Penh Post, continues to be perceived by journalists as being among the most independent sources of information in the country. However the addition of the Khmer Times, which is viewed as being pro-government, has only increased competition as global trends in the print industry creep into Cambodia.

Figure 3: Cambodia's score on international press indexes*



Television Media:

The popularity of television as a news source has dropped only slightly since 2015*, identified as the first source of information for 29% of the population compared to 30% the previous year. Having been symbolically replaced in the top spot by social media (30%), however, it is only expected to lose ground in the years to come.

According to findings of the MOM project, Cambodia has 18 television stations, but the top four stations claim about three-quarters of viewers. Of the top 10 stations, the MOM research found that eight are owned by individuals politically affiliated with the CPP, including government employees and advisers.

Journalists interviewed for this report maintained low opinions of television outlets as a news source. A promise to release the CPP's stranglehold on television by giving the opposition CNRP its own television station, agreed to as part of a post-election political deal in 2014, has not materialized. The government rejected a plan to build an antenna in Kandal province due to opposition from residents, which was reportedly fostered by local officials.

Even so, most Cambodians are not turning to TV for news. The majority use TV to access entertainment programming such as comedy shows and concerts, with the country's two TV news stations attracting only 2% of the audience share, according to recent research.

Radio Media:

Though radio saw the most significant drop in popularity over the past year – dropping from 20% to 16% as the first source of news for Cambodians – the top independent stations have already established some of the strongest online news brands.

Along with being supported largely by donors, this makes radio outlets – mainly Voice of Democracy, Voice of America, Radio Free Asia, and Radio France International – less vulnerable to market changes than print and television companies that are largely privately funded.

Radio is among the most diverse and trusted media platforms in the country. This was supported by CCIM's Attitudes Survey of Professional Journalists in 2015, which found that five of the top ten most trusted media institutions were radio outlets. Though the launch of well-funded government-aligned TV stations has put pressure on staffing and some say the quality of programming at radio outlets, it has not undermined overall trust, according to journalists interviewed this year.

Recent research would suggest the continued decline of radio in the coming years as it is replaced by the internet, where many traditional radio programs are already available as videos or streaming audio. Considering that almost all of the foreign government funding to support independent media goes to traditional radio outlets, the shift towards online media must be taken into account by donors in deciding future funding priorities in Cambodia if current levels of press freedom are to be maintained.

The Internet:

The rapid spread of the internet and use of the Khmer language through smartphones is undoubtedly the most important trend in the media. According to the latest research, 37% of Cambodians now say they use or have used the internet, the majority of which now view it as their primary source for information.

Established media have, by and large, failed to adapt to the trend, leaving space for websites like FreshNews and Sabay to dominate news and entertainment online, respectively. That does not mean that traditional brands are bound for failure online. In fact, radio outlets like VOD, RFA and VOA have quickly attracted large online followings. VOD has more than 800,000 followers on Facebook and about 20,000 visitors to its website per day, while RFA has more than 4.7 million followers on Facebook and VOA has more than 5.8 million, making it one of Cambodia's most popular pages.

However, due to the sheer amount of competition – the MOM project identified 31 licensed Internet Service Providers and 7 active phone operators able to provide online data plans – and the relatively low advertising spending, few traditional media outlets are benefiting financially from readers shifting online.

Like television, the internet is viewed far more often for entertainment than it is for news. Only 10 of the 100 most visited sites in 2015 were devoted mainly to news, according to the MOM research, which found that individuals affiliated with the government owned four of those sites.

However, due to the pace of expansion of the online audience it is difficult to say how much control or influence the government will eventually exert on leading online news sites, either directly or through friendly advertisers. Anecdotal research would suggest that pro-government sites are proving more profitable than independent websites, though readership continues to be an important factor as well.

With Facebook by far the most popular website in the country, the social media giant's decisions about how news is regulated and filtered will have an outsized impact on the industry here.

Challenges for Independent Media

The Challenges for Independent Media 2016 report is informed by the perspectives of the country's leading media professionals and draws on data from CCIM's media monitoring project in 2015 as well as expert analysis to create a comprehensive picture of the state of media independence in Cambodia from year to year. This year's report was smaller in scale than previous reports and therefore relies more heavily on anecdotal rather than quantitative assessments of the major challenges facing independent media.

Violence & physical harassment

There were no reported cases of journalists being attacked in 2016, and while almost all journalists interviewed for this report said the threat of violence or physical harassment was still a problem, it ranked second lowest on the list of challenges to independent media, scoring 2.8 out of 5.

The brutal beating of a Voice of Democracy reporter during protests in 2014 continued to weigh on journalists' minds. The murder of political analyst Kem Ley in July 2016 and the beating of two human rights defenders at a peaceful protest in October contributed to a general sense of insecurity among members of the media.

A few journalists reported being informally detained by state or private security guards and fearing for their safety, generally when reporting in the provinces on sensitive issues such as illegal logging and land grabbing.

"It happens in the provinces more than the city," said a Khmer-language radio editor with a nationwide team of reporters, who said one reporter in Preah Sihanouk province had received death threats for reporting on a land conflict. "They said if we don't slow down he will be tied to a rock and thrown in the ocean."

Other journalists also said that it was often lower-level government officials in the provinces who tended to resort to threats of violence – two foreign editors said reporters were informally detained until by local officials until their superior intervened –, while higher-ranking officials in the government were more likely to issue legal threats or vague warnings.

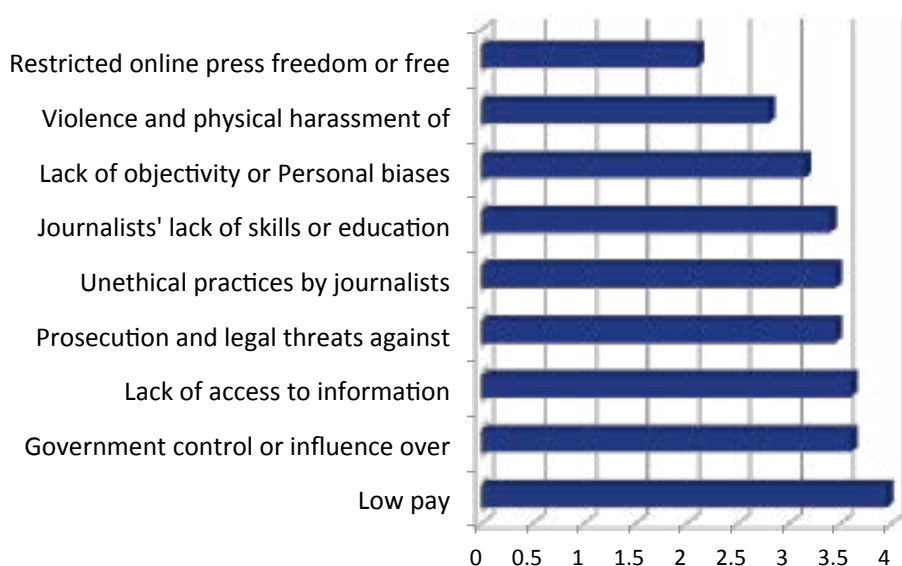
Prosecution & legal threats

The threat of legal action was the most common way that sources attempted to interfere with the work of independent media outlets, although there were no cases of professional journalists being prosecuted in 2016. Again, the jailing of human rights activists and government critics who interact often with the media created a pervasive unease among journalists.

Prosecution and legal threats ranked fourth among challenges to independent media according to journalists surveyed. Political analyst Ou Virak was sued by the ruling party in April over a critical comment made in a radio interview, while there were numerous guilty verdicts handed down by the courts against opposition officials and government critics over public speeches or posts to Facebook.

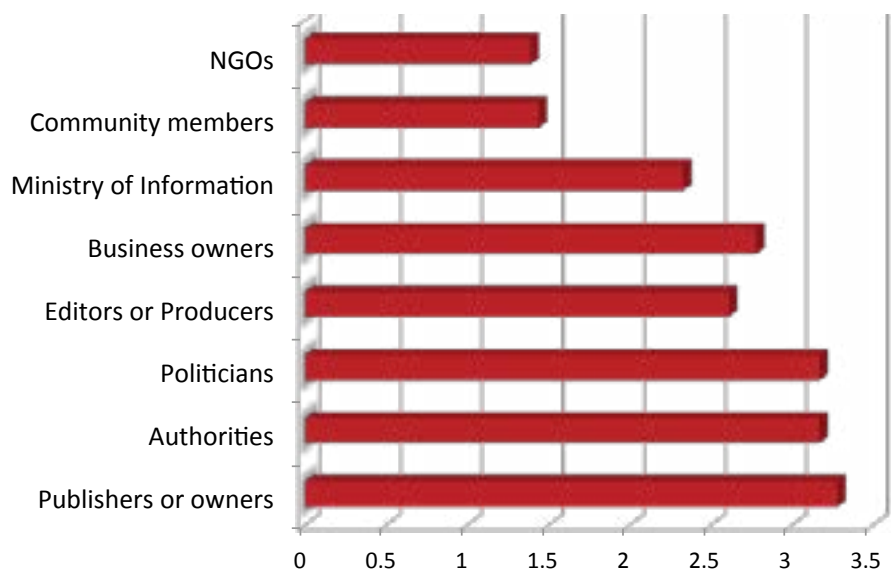
An editor at an English-language newspaper said a lack of faith in the court system meant the threat

Figure 4: Main challenges facing independent media



Those surveyed were asked to score each challenge on a scale of 1 (no problem) to 5 (major problem)

Figure 5: Source of interference or repercussions



Those surveyed were asked to score each group on a scale of 1 to 5, with a higher score meaning a higher level of interference or repercussions

posed by legal action was impossible to ignore. “The general journalism environment here, even if we are doing our job correctly to the standards we work toward, there is no protection from lawsuits because the judicial system is so arbitrary.”

The Information Ministry in May threatened to review the licenses or even close down media outlets that did not refer to Prime Minister Hun Sen by his honorific “Samdech,” but with most independent outlets refusing to follow the order, the government backed off the issue.

Self-censorship

The amount of self-censorship among media outlets runs roughly parallel to the extent to which its publisher or owner is either affiliated with the government or seeking to curry favor with the ruling party, according to journalists, who ranked publishers as the most common source of interference or repercussions in editorial matters.

Even journalists at independent media outlets said there was a trend toward increased self-censorship due to a perceived increase in legal threats, a worsening political environment ahead of elections and increasing financial pressure on publishers.

An editor at a Khmer-language radio outlet said that even experienced journalists at independent institutions were increasingly self-censoring due to both weak support mechanisms within media organizations and an unreliable court system. “Lots of us who do real journalism really have to ask ourselves whether we want to put ourselves at risk,” she said. “One day it will be journalists who go to jail to set an example.”

A foreign journalist said publishers at foreign-owned

outlets that claim to be independent were also struggling to balance that mission with efforts to remain solvent. “Despite the best efforts of editors to ensure that coverage is independent, business concerns take precedent,” she said. “As much as publishers want to support independent journalism, the bottom line is the need to at least break even.”

Government control & influence

The extent of government control and influence over the media was the second-greatest challenge to independent media behind only low pay, according to journalists surveyed, averaging a score of 3.6 out of 5. Furthermore, authorities were second only to publishers and owners as the most common source of interference and repercussions.

Journalists working at independent outlets said that repercussions often amounted only to angry phone calls or letters. This behavior was typified by the angry response of the prime minister’s children to coverage in English-language newspapers of a NGO report exposing the first family’s vast business holdings. His three eldest children posted similar messages to Facebook railing against the reports.

Journalists who worked for government-aligned media said that there were overt rules about how the government was covered and instructions not to touch sensitive stories involving owners and advertisers, who were often linked through the ruling party. “As long as tycoons run them [TV stations], the purpose is to earn money, and to get advertisements. Those come from other tycoons, so they are so connected and tycoons decide on the content,” said a television reporter.

An advisor to a government-aligned website said the Khmer-language media landscape was clearly divided.

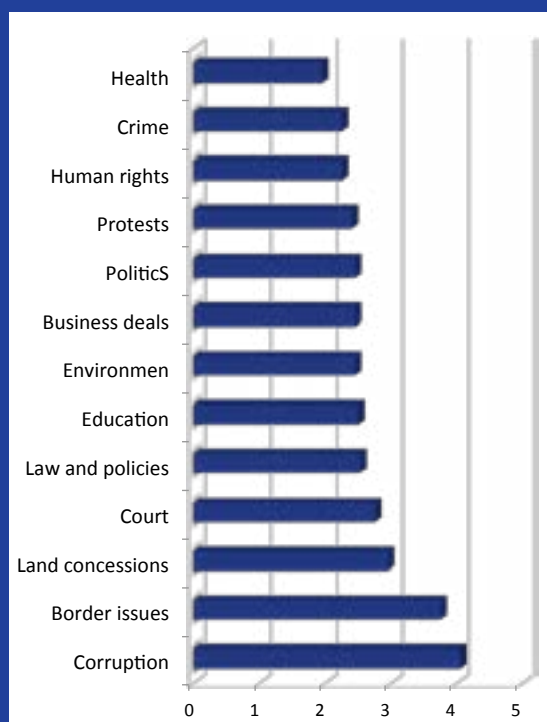
Sensitive Issues

Although reporters said a lack of access to information about the government, political parties, businesses and organizations often made in-depth reporting a struggle in almost every field, corruption and border issues were by far ranked as the most difficult areas to report on.

News outlets rarely found enough evidence to report on what one editor described as "circumstantial" evidence that corruption was commonplace in Cambodian society, with wealth often accrued in tandem with power. While the Anti-Corruption Unit made a number of arrests in 2016, including the ambassador to South Korea, it was only once the government took action that media outlets reported on it, meaning the government effectively sanctioned reporting on corruption.

Border issues were seen as being difficult mainly because of the government's sensitivity to the issue and the jailing of an opposition senator and parliamentarian accused of spreading disinformation about the border. Journalists said they feared that slight inaccuracies in stories could have significant consequences and found officials offered little help in providing documents that might clarify the situation in any particular area.

Figure 6:



"There are two sides of journalists – those aligned with the government and those with foreign donors," he said. "We have the freedom to be critical of some government official who are corrupt or lazy, but don't be critical of big people in the government."

Low pay

Low pay was rated as the greatest challenge facing independent media and tied with a culture of corruption as the most important factor leading to unethical behavior among journalists, according to journalists surveyed, who are likely among some of the most well-paid in the country.

While the emergence of a few well-funded TV stations and a general rise in competition in the media sector has put upward pressure on salaries and created more competition for professional journalists, low salaries across the industry, and particularly in government-aligned media outlets, continued to drive journalists to seek alternate ways to make money, often at the expense of their professional integrity.

One prominent pro-government news personality said that the pure volume of television stations and other media outlets made it impossible to have salaries that were competitive, estimating that 95% of journalists were underpaid given their experience and skills.

Throughout the country, many journalists continued to augment their salaries with bribes taken in exchange for publishing or not publishing certain stories or information, according to journalists interviewed, almost all of whom said they abstained from the practice themselves.

Unethical practices

Although many journalists said there was still widespread unethical practices among their peers – ranking it as the fourth biggest problem facing independent media – the opinion was split over whether the main driver was low pay or a culture of corruption in Cambodia.

Pay was particularly low for journalists working in the provinces, where a Cambodian editor who often works outside of Phnom Penh said some journalists had no base salary and therefore spent their mornings planning extortion schemes rather than finding news. "We have good journalists and journalists who blackmail – local journalists who just care about money," he said.

While a number of journalists said higher salaries, in the range of \$1,000 a month, would allow journalists to refrain from taking bribes, others argued that the current reality did little to support that theory.

"People here think that when you take the money you can get money from it all the time," said a reporter for a foreign wire service about how many journalists enter the media industry. "From the top to the very low. So journalists care about the money and at the end of the day will not stop [taking bribes]."

Others argued that supervision by editors and the integrity of an institution was more important than the

inclinations of individuals, noting that even relatively low-paid journalists at well-regarded outlets tended to avoid corruption.

Lack of Access to Information

A lack of access to information ranked third among challenges facing independent media, and was also a key factor when journalists were asked about the most difficult topics to cover. A lack of official statistics and information about everything from land concessions to public services often made it difficult to produce informative journalism.

Although the government has appointed spokesmen for ministries and said it would do the same for provin-

cial governments, those officials rarely provide detailed information or documents, either because such information is unavailable or withheld from the public.

Although there is a much-anticipated Access to Information Law in the pipeline, even the most optimistic journalists said it was unlikely to meet international standards or compel the government to disclose information that it wants to keep secret.

"With the law we have something to tell ministers 'The law says this so they are obliged to answer this question,'" said one journalism professor, who added that the key would be what mechanisms are in place to actually compel or punish officials who failed to follow the law.

Recommendations:

Based on developments in the Cambodian media sector during 2016 and on interviews with professional journalists, CCIM makes the following recommendations aimed at increasing the independence and professionalism of Cambodian journalists and news outlets:

For the media:

- Publishers, owners and editors must hold themselves to the highest of ethical standards, as outlined in the Cambodian Journalists' Code of Ethics. Because they hold positions of influence and leadership, they must ensure the independence of their news outlets' content and the ethical behavior of their reporters and other news staff.
- Media organizations should commit to provide all support necessary to their reporters in case of an emergency related to their work. All media organizations should develop security policies detailing emergency procedures as well as the types of assistance they will provide to their staff, including but not limited to legal representation, medical treatment and temporary relocation to a safe house. All media organizations should, at minimum, provide their workers with NSSF, or accident compensation, as required by law, and should consider offering medical insurance.
- Increase coverage of violations of press freedom, internet freedom and freedom of expression, as guaranteed by international frameworks and the Cambodian constitution. Report on any threats to these freedoms posed by new legislation, particularly around regulation of the internet.

For the government:

- Make amendment on the press law to make sure that journalist are able to access to government information and government officer are enforced to fulfill their duty.
- Government have to conduct further investigation to provide justice for journalists who were murdered in order to strengthen the rule of law in Cambodia and make sure that impunity has be ended.
- Create a politically independent body responsible for issuance of media licenses. Ensure transparency in the licensing process so that public airwaves are open to a range of voices, opinions and independent news.
- Continue work and engagement with stakeholders on the draft Access to Information Law using international best practices as a guide to ensure clear requirements and procedures for information disclosure.

For civil society and donors:

- Prioritize funding for independent internet news outlets and efforts to increase media literacy among an expanding online audience, ensuring that access to new technology makes people better informed about their country.
- Work on capacity building of journalists as a means of increasing citizens' access to information and freedom of expression.
- Work with media outlets to promote the safety and protection of journalists by offering courses in physical and digital security.



**Everybody well informed.
Everybody empowered.**