

FREEDOM IN THE WORLD 2018

# Cambodia

**30**  
/100

NOT FREE

<u>Political Rights</u>	<b>10</b> /40
<u>Civil Liberties</u>	<b>20</b> /60

LAST YEAR'S SCORE & STATUS

31 /100 ● Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



# Trend Arrow

Cambodia received a downward trend arrow due to a crackdown on the political opposition, including the dissolution of the main opposition party and treason charges against its leader.

## Overview

Cambodia's political system has been dominated by Prime Minister Hun Sen and his Cambodian People's Party (CPP) for more than three decades. The country has held semicompetitive elections in the past, but in 2017 it moved much closer to outright authoritarian rule with the banning of the main opposition and shuttering of independent media outlets.

## Key Developments in 2017

- Kem Sokha was arrested in September, removing the last remaining opposition leader from Cambodian society.
- The Supreme Court ordered the Cambodia National Rescue Party (CNRP) banned in November, and many CNRP legislators fled the country.
- The *Cambodia Daily* was closed in September for failure to pay its taxes, and the government shut down 15 local radio stations.

## Executive Summary

In the run-up to 2018 national elections, Cambodia's shaky semidemocracy collapsed. The Hun Sen government pursued an intense crackdown on the opposition CNRP and on civil society. Multiple nongovernmental organizations (NGOs) were closed or forced out of the country, and the two main opposition leaders were, respectively, in jail and in exile at the end of the year. The Supreme Court banned the CNRP in November, and government critics were charged with defamation. The *Cambodia Daily*, one of the most prominent newspapers, was shuttered, along with 15

independent radio stations. Corruption is rife, and powerful politicians and military officers have a strong role in the economy. The country struggles with social and economic inequality, and although there are some personal social freedoms, domestic violence against women is common.

## Political Rights

### A. Electoral Process

**A1** 0-4 pts

**Was the current head of government or other chief national authority elected through free and fair elections?**

**1/4**

King Norodom Sihamoni is chief of state, but he has little political power. Hun Sen first became prime minister in 1985. He was nominated most recently after 2013 National Assembly polls, which were marred by reports of duplicate voter names, vote buying, and large groups of voters casting ballots in communes where they were not registered. The National Election Committee identified hundreds of thousands of duplicate or missing names from voter rolls.

**A2** 0-4 pts

**Were the current national legislative representatives elected through free and fair elections?**

**1/4**

After the CPP was declared the winner in the 2013 National Assembly elections, the CNRP rejected the official results, charging that it had won 63 rather than 55 of the total 123 seats. As a result, the CNRP parliamentarians refused to take their seats until the party reached an agreement with the CPP in 2014. Cambodia also has a 61-seat Senate; 57 members are elected by parliamentarians and commune councils, 2 are elected by the National Assembly, and 2 are appointed by the king.

The opposition made gains in June 2017 commune elections, although the CPP still won overall. Intimidation by authorities was rampant. Hun Sen himself warned during the campaign that he could “eliminate 100 to 200 people” if necessary to ensure peace in the country, and that the country could return to civil war if his party were to lose.

Before the commune elections, the interior minister publicly stated that the government was trying to intimidate civil society organizations so they would refrain from monitoring the elections and assessing their fairness. In July, the government barred two election-monitoring groups from continuing their activities.

**A3** 0-4 pts

**Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?**

**2/4**

In 2015, Cambodia passed two new election laws, which are broadly enforced. Human Rights Watch criticized the laws for limitations such the ability of security forces to take part in campaigns, punishing of parties that boycott the assembly (as happened after the previous national elections), and a shorter campaign period of 21 days. Voting is tied to a citizen’s permanent resident status in a village, township, or urban district, and this status cannot be changed easily. In July 2017, a new amendment to the electoral law banned political parties from association with anyone convicted of a criminal offense.

## **B. Political Pluralism and Participation**

**B1** 0-4 pts

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

**1/4**

The environment of repression of opposition parties in 2017 became more extreme than at any time since the late 1990s. In addition to Rainsy and Kem Sokha, many other CNRP members were threatened with arrest and harassed during the year. In November, the Supreme Court ordered the CNRP dissolved. Many of the party's legislators fled the country or switched parties. The police also raided the headquarters of the Khmer Power Party in August.

**B2** 0-4 pts

**Is there a realistic opportunity for the opposition to increase its support or gain power through elections?**

**0** / 4

As of 2017, the political opposition has been almost completely quashed. Co-opposition leader Rainsy has remained abroad since his parliamentary immunity was stripped in 2015, and he faces multiple defamation charges. In September 2017, the authorities arrested co-opposition leader Kem Sokha on treason charges. While the opposition did make gains in the June 2017 commune elections, the November CNRP ban will likely make it impossible for the party to contest the 2018 elections. Other parties exist, but they have little support in the country.

*Score Change: The score declined from 1 to 0 due to a Supreme Court decision banning the main opposition party and the arrest of the opposition leader on treason charges, effectively leaving the country with no political opposition.*

**B3** 0-4 pts

**Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable?**

**1** / 4

The ruling party is not democratically accountable, and top leaders, especially Hun Sen, increasingly use the police and armed forces as a tool of repression. The military stood firmly behind Hun Sen and his violent threats during commune election campaigning, and there were reports that soldiers were strategically deployed and illegally registered to vote in key races.

**B4** 0-4 pts

**Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?**

**1/4**

Ethnic Vietnamese are regularly excluded from the political process and scapegoated by both parties. Women make up 20 percent of the National Assembly, but their interests, like those of all citizens, are not well represented.

## C. Functioning of Government

**C1** 0-4 pts

**Do the freely elected head of government and national legislative representatives determine the policies of the government?**

**1/4**

Hun Sen has increasingly centralized power, and representatives outside of his close circle have little impact on policy-making. While the CPP and the CNRP had agreed to a “culture of dialogue” after the 2013 elections, that had collapsed by 2017.

**C2** 0-4 pts

**Are safeguards against official corruption strong and effective?**

**1/4**

Corruption remains a serious challenge in Cambodia, despite the 2010 establishment of an Anti-Corruption Unit. A 2016 Global Witness report suggested that Hun Sen’s family had amassed wealth totaling between \$500 million and \$1 billion, claims that the prime minister and his family deny.

**C3** 0-4 pts

**Does the government operate with openness and transparency?**

**1/4**

Nepotism and patronage undermine the functioning of a transparent bureaucratic system.

## Civil Liberties

### D. Freedom of Expression and Belief

**D1** 0-4 pts

Are there free and independent media?

**1/4**

The government uses lawsuits, criminal prosecution, and occasionally violent attacks as means of intimidation against the media. There are private print and broadcast outlets, but many are owned and operated by the CPP. The CNRP has a license to operate a television station, but it still has not been set up due to bureaucratic delays.

The Ministry of Information ordered the closure of 15 local radio stations in August. Many of these stations were independent and carried Voice of America and Radio Free Asia (RFA), as well as programming that covered the CNRP. In September, the *Cambodia Daily*, one of the leading independent outlets, closed permanently. The government claimed that the *Daily* did not pay its tax bills, but the *Daily's* owners said that the bills were politically motivated. RFA announced the closure of its in-country bureau in Cambodia in August. In April, an RFA journalist who worked in Cambodia had fled the country after facing legal charges.

**D2** 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

**3/4**

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

**D3** 0-4 pts

**Is there academic freedom, and is the educational system free from extensive political indoctrination?**

**2/4**

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

**D4** 0-4 pts

**Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?**

**2/4**

The state generally does not intervene in people's personal views on sensitive topics, though risks remain. The authorities have made arrests for online speech, but the internet is a much freer space for discussion than print or broadcast media. In July 2017, a social media user was arrested for posting a video accusing Hun Sen and his family of involvement in the 2016 murder of prominent activist Kem Ley. A Facebook user was arrested in August for a post that went viral claiming that Vietnamese men kidnap Cambodian children to traffic their organs; Hun Sen subsequently warned citizens not to spread rumors on social media.

## **E. Associational and Organizational Rights**

**E1** 0-4 pts



<b>Is there freedom of assembly?</b>	<b>1/4</b>
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Crackdowns on free assembly are unpredictable, and the climate for dissent became even more severe in 2017. The shooting deaths of five postelection protesters by security forces in 2014 put a chill on opposition protests, and the government spoke openly in 2017 about the fact that antigovernment protests would not be tolerated.

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

Civil society groups work on a broad spectrum of issues, but those dedicated to justice and human rights generally face more state harassment. Prominent activist Kem Ley was murdered in broad daylight in 2016. While an apparently mentally unbalanced man with no motive was given a life sentence for the crime in 2017, the International Commission of Jurists and others have questioned whether it was investigated thoroughly. In February, prominent political analyst Kim Sok was jailed for defamation. In August, the government forced the National Democratic Institute’s operations in Cambodia to shut down and expelled its foreign staff. In September, local environmental NGO Mother Nature closed after its founder cited threats by the authorities against its members. In November, Hun Sen called for a ban on the Cambodian Center for Human Rights.

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

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

# F. Rule of Law

**F1** 0-4 pts

**Is there an independent judiciary?**

**0** / 4

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

**F2** 0-4 pts

**Does due process prevail in civil and criminal matters?**

**1** / 4

Due process faces considerable challenges in Cambodia. Abuse by law enforcement officers and judges, including illegal detention, remains extremely common. Impunity of elites and sham trials are frequent. When lawyers or others criticize judges, they often face retribution.

**F3** 0-4 pts

**Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?**

**1** / 4

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

The ongoing work of the Extraordinary Chambers in the Courts of Cambodia, established to try the leaders of the former Khmer Rouge regime, has brought convictions for crimes against humanity, homicide, torture, and religious persecution. While others closer to the regime have faced allegations of involvement in these

crimes, there is little indication the Hun Sen government will support additional cases.

**F4** 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**1/4**

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

The Cambodian government frequently refuses to grant refugee protections to Montagnards fleeing Vietnam, where they face persecution by the Vietnamese government. In September, the Cambodian government was reportedly planning to deport 29 Montagnards without allowing them to go through the normal United Nations process to seek resettlement in a third country.

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

## **G. Personal Autonomy and Individual Rights**

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**2/4**

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

**G2** 0-4 pts

**Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?**

**1/4**

Land and property rights are regularly abused for the sake of private development projects. Over the past several years, hundreds of thousands of people have been forcibly removed from their homes, with little or no compensation, to make room for commercial plantations, mine operations, factories, and high-end residential developments. In August 2017, a court upheld a 30-month jail sentence for land rights activist Tep Vanny for protesting alleged unlawful evictions.

**G3** 0-4 pts

**Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?**

**2/4**

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

**G4** 0-4 pts

**Do individuals enjoy equality of opportunity and freedom from economic exploitation?**

**1/4**

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



### On Cambodia

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### Country Facts

Global Freedom Score

**23/100** ● Not Free

Internet Freedom Score

**44/100** ● Partly Free

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[info@freedomhouse.org](mailto:info@freedomhouse.org)

1850 M St. NW Floor 11  
Washington, DC 20036  
(202) 296-5101

PRESS & MEDIA  
[press@freedomhouse.org](mailto:press@freedomhouse.org)

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