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និងការពារសិទ្ធិមនុស្ស

លីកាដូ



LICADHO

CAMBODIAN LEAGUE FOR THE  
PROMOTION AND DEFENSE OF  
HUMAN RIGHTS



# HUMAN RIGHTS 2013: THE YEAR IN REVIEW

A report issued in  
February 2014



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**LICADHO**

CAMBODIAN LEAGUE FOR THE PROMOTION  
AND DEFENSE OF HUMAN RIGHTS

# CAMBODIAN LEAGUE FOR THE PROMOTION AND DEFENSE OF HUMAN RIGHTS (LICADHO)

LICADHO is a national Cambodian human rights organization. Since its establishment in 1992, LICADHO has been at the forefront of efforts to protect civil, political, economic and social rights in Cambodia and to promote respect for them by the Cambodian government and institutions. Building on its past achievements, LICADHO continues to be an advocate for the Cambodian people and a monitor of the government through wide ranging human rights programs from its main office in Phnom Penh and 12 provincial offices.

## MONITORING & PROTECTION



### **Monitoring of State Violations and Women's and Children's Rights:**

Monitors investigate human rights violations perpetrated by the State and violations made against women and children. Victims are provided assistance through interventions with local authorities and court officials.

### **Medical Assistance & Social Work:**

A medical team provides assistance to prisoners and prison officials in 14 prisons, victims of human rights violations and families in resettlement sites. Social workers conduct needs assessments of victims and their families and provide short-term material and food.

### **Prison Monitoring:**

Researchers monitor 18 prisons to assess prison conditions and ensure that pre-trial detainees have access to legal representation.

### **Paralegal and Legal Representation:**

Victims are provided legal advice by a paralegal team and, in key cases, legal representation by human rights lawyers.

## PROMOTION & ADVOCACY

### **Supporting Unions and Grassroots Groups and Networks:**

Assistance to unions, grassroots groups and affected communities to provide protection and legal services, and to enhance their capacity to campaign and advocate for human rights.

### **Training and Information:**

Advocates raise awareness to specific target groups, support protection networks at the grassroots level and advocate for social and legal changes with women, youths and children.

### **Public Advocacy and Outreach:**

Human rights cases are compiled into a central electronic database, so that accurate information can be easily accessed and analyzed, and produced into periodic public reports (written, audio and visual) or used for other advocacy.

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**Cover photo:** Monks and police in Phnom Penh on International Human Rights Day, December 10, 2013.

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# A MESSAGE FROM LICADHO'S PRESIDENT

**Cambodia's human rights situation remained bleak in 2013. The National Assembly elections held on July 28 witnessed an unprecedented level of fraud and left the country in a state of political turmoil; conflict over land and natural resources continued to be a major source of human rights violations; strikes and labor issues gave rise to discord often attracting violent action from the authorities; and human rights defenders remained a target of harassment, threats, unjustified criminal charges and violence. And yet, despite this, there was some cause for optimism with the Cambodian people displaying impressive levels of resilience, time and again taking to the streets to demand their rights.**

The 2013 elections were a potential source of hope for many Cambodians and in the pre-election period supporters of a range of parties took to the streets to attend rallies and marches. This flourishing of democratic engagement amongst the Cambodian people did not inspire similar behavior in the country's politicians, however; voter intimidation, fraud and misinformation by one party were met by worryingly xenophobic rhetoric from another. To date, the country remains in political deadlock following the refusal of the main opposition party to take up its seats in the National Assembly, in protest against the flawed election results.

Human rights defenders continued to be persecuted while those in power went unpunished. Land activist Yorn Bopha, who was sentenced to three years in prison in 2012 on spurious grounds, was released on bail in November. The charges against her have not been dropped and she faces the prospect of a return to prison. On the other hand, Chhouk Bandith, former Bavet district governor, was finally convicted of shooting three garment factory workers during a peaceful protest. He was sentenced to just a year and a half in prison but never appeared in court and is yet to spend a day in prison.

In this context of rampant impunity and violent suppression of democratic freedoms, fast, independent and accurate information about human rights is vital. Throughout 2013, LICADHO staff consistently provided information from the front-line, as peaceful protests turned into lethal suppression, as human rights defenders continued to be imprisoned, as violent human rights abuses remained widespread and as land evictions continued. This reporting was critical in helping to inform the decisions of a wide range of actors, from international NGOs, to the Cambodian government, to donor states. LICADHO's advocacy material helped to spread vital information through social media to the wider Cambodian public – particularly through its videos and audiobooks.

Meanwhile, LICADHO provided medical support to thousands of people in prison, as well as to those injured by authorities in the brutal suppression of protest; it gave legal assistance to victims of human rights abuses; distributed



Dr. Pung Chhiv Kek, LICADHO President

thousands of kilos of food to people living in relocation sites; lobbied for the Cambodian people at the international level; and supported grassroots people's groups in advocating for their own rights.

This activity report summarizes LICADHO's achievements over the past year and provides an overview of the human rights situation in Cambodia.

LICADHO's unique blend of programs, covering human rights monitoring, public advocacy, and grassroots empowerment, would not be possible without the dedication of LICADHO's staff and the support of our funding partners. As we look to 2014, LICADHO wishes to thank all those who have supported us through 2013 and express our hope that these partnerships will continue as the Cambodian people continue to struggle for their rights.

# HUMAN RIGHTS 2013 IN NUMBERS

**202.31%:** Registration rate of eligible voters in one commune in Phnom Penh; an inflated voter list was among the many irregularities which eroded confidence in the 2013 national election process and outcome<sup>1</sup>

**1,250,000:** Estimated number of eligible citizens left off the electoral register for the 2013 national election<sup>2</sup>

**72:** Number of hours a ban on foreign-produced Khmer language radio broadcasts lasted before public outcry forced the government to overturn it<sup>3</sup>

**26:** Number of National Assembly members missing to meet the constitutionally-imposed minimum of 120 when the ruling party passed legislation targeting opposition leader Kem Sokha<sup>4</sup>

**2:** Number of bystanders killed by live ammunition when armed forces opened fire during clashes with protesters in Phnom Penh<sup>5</sup>

**0:** Number of authorities prosecuted for the above-mentioned killings of bystanders<sup>6</sup>

**5:** Number of national roads on which civil society groups - including monks, grassroots communities, and organization leaders - marched for 10 days to celebrate International Human Rights Day in December<sup>7</sup>

**35:** Number of children living in prison with their mothers, in the prisons monitored by LICADHO<sup>8</sup>

**153%:** Occupancy rate of the prisons monitored by LICADHO as of December 31, 2013<sup>9</sup>

**500:** Estimated number of police and military police officers mobilized to disperse a dozen anti-government protesters intending to sleep in front of the US embassy on International Human Rights Day<sup>10</sup>

**131,500:** Estimated number of participants in a march organized by the Cambodian National Rescue Party in December calling for Prime Minister Hun Sen to step down<sup>11</sup>

**80:** Minimum monthly wage (in US dollars) for garment workers as of December 2013<sup>12</sup>

**157:** Monthly income (in US dollars) required to live decently according to Ministry of Labor task force research<sup>13</sup>

**72:** Age of elderly woman participating in peaceful protests who was attacked at night by thugs and armed forces armed with slingshots and electric prods; journalists and rights observers were also targeted<sup>14</sup>

**0:** number of days Chhouk Bandith spent in prison after being convicted of unintentional violence following his shooting in 2012 of three garment factory workers<sup>15</sup>

# HUMAN RIGHTS 2013 IN REVIEW



Anti-riot police mobilize against monks celebrating World Habitat Day, October 10, 2013.  
(All photos by LICADHO unless stated)

## Mass Protest Meets Violent Suppression

2013 was dominated by one event: the National Assembly elections.

Throughout the year, to shouts of “Change! Change!”, Phnom Penh saw some of its largest demonstrations in decades. Nine days before the elections, which fell on July 28, opposition leader Sam Rainsy **returned from France** to a crowd of more than 100,000 people and there was a mood of excitement and anticipation as voting day approached.

Despite the presence of a reinvigorated opposition, the ruling Cambodian People’s Party (CPP) won the ballot, albeit by a very narrow margin, and the contested results led to months of protests by Cambodia National Rescue Party (CNRP) supporters. Amid evidence of fraud and vote-rigging, discontent with the status quo intensified throughout the country. Garment workers, who had been promised a pay increase if the CNRP gained power, protested on the streets. Communities affected by land grabbing continued to fight for their rights. Cambodian citizens talked openly about government corruption, grinding poverty and the lack of services. People wanted solutions.

Instead, protestors were met with the most violent suppression Cambodia has seen since 2003. Two people were shot dead after authorities used live ammunition to break up protests. Many more were **injured or arrested**.

As 2013 drew to a close, the causes of discontent remained; there was no solution in sight to the political deadlock; land grabbing was still the root of significant strife; the justice system remained riddled with impunity; and while people continued to strike, protest and march for change, freedoms of assembly and expression appeared increasingly fragile.

“Exercising one’s right to gather peacefully and voice one’s needs for a better livelihood shouldn’t be a deadly event.”

Naly Pilorge  
LICADHO Director

## FREE AND FAIR? DEMOCRACY UNDER SIEGE

In the lead-up to Cambodia's fifth National Assembly elections, it was a foregone conclusion to many that the ruling party, CPP, would win with a large majority. But several variables emerged to question that pre-conception: the two leading opposition parties **united** to form a single formidable challenger at the polls, the CNRP; the increasingly disillusioned youth turned to **social media** to voice their discontent and the opposition responded, helping to mobilize a significant segment of the voting population; and the party received a noteworthy popularity boost days before the election with the **return of its exiled leader**, Sam Rainsy, to Cambodia. Taken together, this signaled a major shift in the electoral landscape.

However, as observers warned that the elections were going to be far from free and fair and the ruling party sensed a credible threat to its power, election rigging went into overdrive. Reports of voting list inaccuracies and over-registrations were commonplace, and the ruling CPP's slanderous campaign against the opposition began in earnest.

## DANGEROUS RHETORIC

The misuse of government authority to intimidate and misinform voters began in March when Prime Minister Hun Sen **told a gathering** of 4,000 people that a CPP loss in the election would also result in cuts to "hundreds of thousands" of development projects and the disappearance of his land titling program. He claimed that CPP members were personally funding these projects, and that opposition party members would not be so generous. The Prime Minister heightened these bully tactics when he **threatened violence and civil war** if the CNRP were to win the election.

The CPP was not the only party engaging in fiery rhetoric to whip up support. From the beginning of the election campaign, Sam Rainsy and CNRP vice-president Kem Sokha spoke disparagingly of ethnic Vietnamese in Cambodia and warned of a Vietnamese threat to the country. These xenophobic sentiments remained a bleak feature of political speeches and protests throughout the year.

A government-orchestrated smear campaign reached its apex in early June with vicious public accusations against CNRP vice-president Kem Sokha of alleged adultery, pedophilia, failure to support "adopted" children with a mistress, and denial of Khmer Rouge crimes. The character assassination dominated the public consciousness with repeated play on nationwide government controlled TV broadcasts. There was also open government involvement in **anti-Sokha protests** throughout the country.

In the meantime, the National Assembly permanent committee – made up entirely of CPP members – **expelled all 29 opposition party representatives from the legislature**, on the grounds that they had switched parties. The two main opposition parties had officially merged earlier in the year to create the CNRP, and were thus elected to represent their former parties. Despite countering the spirit of pluralism and democracy, the expulsion had justification in law. However, under Cambodia's Constitution, the move should have also dissolved the National Assembly since the body no longer had the requisite 120 members to operate. Nonetheless, the Assembly not only continued to function, but also immediately introduced and passed two



Tens of thousands of CNRP supporters gathered in Phnom Penh from October 23 to 25, 2013, to rally for political change.

## LICADHO Profile

# 13

LICADHO offices nationwide

# 135

LICADHO staff nationwide (as of December 2013)

# 2,207

Number of clients who visited LICADHO's Phnom Penh office in 2013





pieces of legislation, including the controversial law on the “non-recognition of the crimes committed during the Democratic Kampuchea period,” presumably to target Kem Sokha.

**BULLY TACTICS**

For those who dared to support the opposition party pre-election, life was risky. The anti-opposition rhetoric at the national level aggravated hostility and foul play at the commune and village levels, where LICADHO investigated 140 politically motivated violations. In February, more than 500 villagers in Kampong Chhnang province were threatened with removal of their names from voter lists if they attended a public forum with CNRP leader Kem Sokha. The villagers were forced by the commune council chief and village chiefs to thumbprint papers they could not understand, signing their votes over to CPP.

Several assaults and attempts on the lives of CNRP backers were made by CPP supporters and local authorities. Death threats were also common. In late July, following Sam Rainsy’s return, bullets were fired through the window of the CNRP headquarters, fortunately missing 10 supporters inside.

LICADHO logged numerous cases of people detained illegally on false accusations and arrested without warrants, because of their CNRP support. Many were forced to sign documents pledging their loyalty to CPP before being released.

To control the election narrative, the government issued a ban on all foreign-produced Khmer-language radio broadcasts. On June 28, the day the ban came into effect, Women’s Media Center FM 102 and Beehive FM 105 had to stop re-broadcasting Radio Free Asia (RFA) and Voice Of America (VOA) reports. After massive local and international outcry, authorities rescinded the ban the day after it came into effect. However, a separate order issued a week earlier by the Ministry of Information (MoI), still stood, showing authorities’ intent to ban all media from disseminating foreign media reports regarding opinion polls, surveys, and election results beginning five days before election day.

Election day itself was marked by serious discrepancies in polling stations around the country. There were voter roll irregularities, including inexplicably missing names and denials of the right to vote; indications of intentional fraud or vote rigging; and intimidation or harassment at polling stations.

The results showed that the CPP won a narrow victory over the CNRP – remarkably narrow, given the election irregularities witnessed across the country. The CNRP rejected the official results, demanding a recount. To date they have not taken up their seats in the National Assembly, which continues to pass legislation despite their absence.

This was a catalyst for the waves of discontent that had been growing across the country throughout the year, as newly-mobilized voters joined the CNRP in calling for demonstrations to contest the election results – and with the demonstrations began a disturbing trend of city lockdowns and police violence.

**A SHRINKING SPACE FOR ASSEMBLY AND EXPRESSION**

If 2012 was the most violent year ever documented in terms of authorities using lethal force against individual human rights defenders (HRDs), 2013 saw the Cambodian authorities turn that force towards public protests.

In the first half of 2013, as elections approached, an increasing number of

29

Opposition party representatives expelled from legislature

135

Cases of election-related violations investigated by LICADHO (not including election day)

515

Number of villagers in Dar and Prasat villages, Kampong Chhnang province who were threatened with removal of their names from voter lists

ផ្តល់សេរីភាព  
សារព័ត៌មាន!



**WE ALL NEED VOICES & CHOICES:  
KEEP MEDIA FREE !**

Cambodians took to the streets to air their grievances: from **communities** affected by land disputes, to **union members**, to **farmers**, to opposition party members. Although many peaceful protests proceeded without incident or interference from authorities, there were some indications of the shocking violence to come and a flurry of government-organized counter-protests.

In the wake of land activist Yorm Bopha's conviction in December 2012 after a show trial, the Boeung Kak community staged numerous protests, at times almost daily, calling for her release from prison. Most of the community's land had been leased to a private company with links to the ruling party, while residents were forced off their land with little or no compensation. On March 13, a group of Boeung Kak demonstrators were **brutally beaten** by police after they gathered in a public park near the Prime Minister's house to call for Bopha's release. Five were injured, including Bopha's husband, Lous Sokorn. The authorities' intervention was documented **on video**.

On May 30, Boeung Kak community members gathered outside City Hall to again call for Bopha's release, and a resolution to their land conflict. After not receiving a response, a few of the demonstrators grouped together to block traffic on Monivong Boulevard. Authorities responded by calling in three fire trucks, which used **high-pressure water** hoses to disperse the protesters. Authorities also **targeted some community members who came to assist colleagues**.

On May 20, members of the CNRP and thousands of supporters **gathered** in Phnom Penh's Freedom Park for a political rally. As they marched to the United Nations Office of the High Commissioner for Human Rights (UNOHCHR) to present a petition to the Special Rapporteur on the situation of human rights in Cambodia, Surya Subedi, who was visiting the country, they were met by a counter-demonstration organized by a government-aligned motodop association. Past newspaper reports

## Politically motivated incidents

Several assaults and attempts on the lives of CNRP backers were made by CPP supporters and local authorities, including a set-up for a road "accident," bludgeoning a supporter to unconsciousness with rocks and sticks, strangling a supporter for documenting the removal of a CNRP sign board, and a colonel firing his AK-47 rifle in the air to threaten CNRP youth supporters. A CNRP secretary received phone threats before an attempt to burn down his house in Banteay Meanchey province. A CNRP youth activist in Svay Rieng province was terrorized via SMS, when a village assistant chief and CPP group leader sent a photo of a man pointing a gun to another's head.



Election-related protests reach central Phnom Penh, September 22, 2013. The year saw a huge increase in the political engagement of monks.

have quoted members of this group as admitting that they were paid by the government to protest.

About 30 to 40 members of a government-aligned motodop association also staged a counter-protest outside the Court of Appeal during the first day of the hearing for Yorm Bopha. The group used piped-in crowd noise, channeled through a megaphone, in an attempt to drown out the chants of Bopha's supporters. At least one of the motodops told a human rights monitor he was paid 30,000 riels to protest.

A day later, a group of students – their leader subsequently linked to the ruling party – stood up and chastised Surya Subedi as he was giving a university speech.

Some of the more vocal pre-election protesters, particularly those protesting against Kem Sokha, were later revealed to be members of the youth wing of the CPP, which is headed by the Prime Minister's son.

### FREEDOM OF ASSEMBLY NOSEDIVES

After the elections, respect for freedoms of expression and assembly took a turn for the worse as authorities met protests with unprecedented violence.

On September 15, the CNRP began their first multi-day **demonstration** to call for a vote recount or a re-election. Phnom Penh had been on lockdown for the past week, with barbed wire barricades cutting off major arteries of the city. The first of the three days of demonstrations was largely peaceful, before **tensions escalated** late in the evening when traffic chaos caused by the roadblocks reached a head. Near Monivong Bridge, police reacted with physical violence and tear gas to a stand-off between hundreds of police and a crowd of those caught up in the traffic, including commuters, local residents and demonstrators. The scene intensified as military police geared up to use live ammunition.

A 29-year-old man, Mao Sok Chan, was shot in the head and died on the scene. A confirmed nine more men were seriously injured and taken to hospital. Eight were found to have bullet wounds. Many more young men, including teenagers, were beaten bloody by police. This marked the beginning of the Cambodian government's latest assault on the freedoms of peaceful assembly and expression, and a new trend of **violent suppression**.

On September 20, hundreds of armed security forces, comprised mainly of military police, dispersed a peaceful gathering of Buddhist monks and CNRP supporters at Wat Phnom. The group was led by CNRP official Prince Sisowath Thomico, who was on hunger strike at the time.

On the evening of September 22, dozens of security forces and accompanying civilians, operating together, descended on a group of around 20 protesters and their family members, attacking them with **electric batons, slingshots and sticks**. Cambodian and foreign human rights monitors and journalists at the scene were also targeted. According to

eyewitnesses, security force personnel initially stood by as the violence intensified, then joined in the physical abuse. At least 10 Boeung Kak community representatives were injured, including a woman of 72, and three other women were hospitalized. One human rights monitor sustained a chest injury. Several journalists received electric shocks, with one having his camera smashed. In a disturbing development, paid civilian thugs were given weapons to brutally disperse peaceful groups, as

# 30,000

Riels allegedly paid by the government to motodop drivers to protest at one of Yorm Bopha's court hearings

# 28

Number of years since Hun Sen first became Prime Minister. He has ruled ever since.

# 160

Cambodia's ranking on the Transparency International Corruption Perception Index 2013, out of 177 countries (177 being the most corrupt)

# 30

Minimum number of people arrested on November 12 during a strike by garment workers



A man cowers in front of police during clashes following the SL factory garment workers' strike, November 12, 2013.

authorities stood by or even joined the violence. This was to become a regular feature at protests in the final quarter of the year.

On November 12, another bystander was shot dead when authorities turned live ammunition on a crowd. About 600 striking workers from SL garment factory attempted to march to the Prime Minister's home to press for responses from the government. They had been on strike for three months over unresolved demands. The workers were blocked by barricades and over one hundred armed anti-riot policemen at the Stung Meanchey bridge. As demonstrators tried to push through the barricade, police fired water cannons on the crowd, igniting a first wave of violence in which one police truck and two motorbikes were overturned and set on



Hundreds of police violently disperse crowds following the SL factory garment workers' strike, November 12, 2013.

fire. A number of workers dispersed, and the protesting crowd grew well beyond the initial number of strikers to include local residents and onlookers. Two more waves of violence as the morning progressed saw tear gas and live ammunition deployed. By the end of the morning, one innocent food vendor had been shot dead, nine people injured by bullets, and over 30 people arrested.

Despite the growing risk of violence from authorities, people continued to demonstrate. In October, the CNRP held a **second multi-day rally** in Phnom Penh to call for an independent investigation into election irregularities. This event saw about 100,000 people marching through the city to deliver petitions to eight foreign embassies and the UNOHCHR over three days. Many participants had travelled from the provinces. In a **carnival-like atmosphere**, thousands of people camped out overnight in Phnom Penh's Freedom Park. This became the site of a long-standing occupation by CNRP supporters which lasted into 2014.

To mark International Human Rights Day (IHRD) hundreds of monks and citizens **marched for 10 days** – from December 1 to December 10 – through Cambodia, along five national roads, from five provincial locations to converge in front of the National Assembly. A group of about 1,000 people, largely consisting of garment workers, celebrated at Wat Phnom. The CNRP held an event in Freedom Park attended by about 5,000 supporters. The event was largely peaceful; however, the day **ended with tension** as a dozen-person protest in front of the US embassy was forcibly stopped with the deployment of hundreds of military police.

### RAMPANT IMPUNITY

As the swelling protests were met with increased suppression, the judicial system remained true to form. 2013 saw a number of high-profile cases in court, with mixed results.

After spending eight months in prison, the Court of Appeal ordered Mam Sonando,

9

Number of people injured by bullets on November 12 during a strike by garment workers

5

Number of national roads marched to celebrate International Human Rights Day

10

Number of days the marchers walked to celebrate International Human Rights Day

### Garment factory workers: driving the change

Increasingly, it has been garment factory workers leading the protests for change. Cambodia's garment industry employs about 470,000 workers and accounts for \$4.5 billion, which is roughly 80% of Cambodia's total export revenue. There are about 960 garment manufactures operating in Cambodia; according to the ILO, 412 medium and large-scale export factories supply garment products to international brand names and retailers. Typically, garment factory workers will work 10 to 12 hours, six days a week, to earn an income just above subsistence level. Factories generally have a less than impressive safety record; mass fainting of workers was a regular occurrence throughout 2011 and 2012, although the incidents slowed in 2013. On May 16, a shoe factory in Kampong Speu collapsed owing to shoddy construction work. Two people were killed. No one has been held legally responsible.



Mam Sonando released from Prey Sar Prison, March 15, 2013.

owner of independent radio station Beehive, and his co-defendants **released** on March 15, which ended a bizarre saga that originally saw the him imprisoned for leading a so-called “secession movement” in Kratie province. Sonando had been arrested in July, 2012, and convicted of various secession-related crimes in October; he was sentenced to 20 years in prison. In the end, the Court of Appeal inexplicably changed Sonando’s charges to illegal-logging related crimes, reduced his sentence to five years, and suspended all but the eight months that Sonando had already served. His legal battles prompted large protests in Phnom Penh, as hundreds of supporters gathered outside the courtroom for each of his hearings.

2013 brought good news in two more high-profile cases. Yorm Bopha was released on bail after 14 months in prison, and Chea Vichea murder scapegoats Born Samnang and Sok Sam Ouen were declared not guilty by the Supreme Court.

Bopha had been arrested on September 4, 2012, for allegedly arranging the beating of a man near her home. Despite a total lack of evidence connecting her to the assault, she was convicted in December 2012 and sentenced to three years in prison. Bopha, who was named an Amnesty International **prisoner of conscience**, was active in the protest movement to release 15 other members of the Boeung Kak community in 2012, and authorities **warned her** that she would face trouble in retaliation for her activism. On June 14, the Court of Appeal slightly altered the charges against Bopha and suspended one year of her sentence, but refused to overturn her conviction despite the continued **lack of evidence**. On November 22, following an extensive national and international **advocacy campaign**, the Supreme Court **released** Bopha on bail after more than 14 months in prison. Nonetheless, the charges were not dropped – her case will be sent back to the Court of Appeal, and she could be returned to prison at any time.

Born Samnang and Sok Sam Oeun, scapegoats in the 2004 killing of union leader Chea Vichea, were **finally freed** by the Supreme Court on September 25. Despite the absence of any credible evidence, the two were sentenced to 20 years’ imprisonment for his murder in a show trial in 2005. They were bailed in December 2008 by the Supreme Court, in a decision which ordered a re-investigation into the killing amid extensive evidence of their innocence. They were re-arrested on December 27, 2012 after the Court of Appeal shockingly upheld their original verdict, and returned



Sok Sam Oeun united with his family after release from Prey Sar Prison, September 26, 2013.

0

Number of days former Bavet governor Chhouk Bandith has served in prison, after being sentenced for shooting three garment workers

5

Number of years Born Samnang and Sok Sam Oeun served in prison before they were released

14

Number of months land activist Yorm Bopha served in prison before she was released on bail

them to prison to serve the remainder of their sentence. The appeal hearing of 2012 offered no new evidence of Sok Sam Oeun and Born Samnang's guilt and systemically dismissed and ignored evidence and testimonies supporting the pair's innocence. In total, they spent more than five years in prison. The Supreme Court dropped all charges against them, citing a lack of credible evidence. However, the judge explicitly forbade the pair from seeking financial reparations for the five years spent in prison and the eight years spent wrongfully charged with a crime they never committed. The real killers of Chea Vichea remain unknown.

In stark contrast to the above cases, former Bavet governor Chhouk Bandith remains a free man, despite the existence of an arrest warrant and a criminal conviction **finding** that he fired his gun at a crowd of striking garment workers in 2012, seriously injuring three. After a year-long legal journey that saw charges **briefly dropped** altogether, Bandith was finally convicted of causing "unintentional injury" on June 25, and sentenced to one-and-a-half years in prison. He did not attend his trial. An arrest warrant has been issued, but he remained at large as of the end of 2013.

### LAND: A COUNTRY IN CRISIS

Elections aside, land remained the single most contentious issue in Cambodia in 2013, as it has been for at least the last 10 years. **Over 2.2 million hectares** of Cambodian land have been granted to large firms in the form of economic land concessions (ELCs). These concessions and various other land grabs have affected more than 420,000 Cambodians since 2003, according to investigations conducted by LICADHO.

In 2012, with commune elections looming and pressure from the donor community rising, the Prime Minister and his party proposed two solutions to the land crisis: First, a moratorium on new ELCs, along with a review of existing concessions, and second, an expedited land titling program designed to put more titles in the hands of rural people. As of the close of 2013, both programs have failed to live up their

**2,200,000**  
Minimum hectares of Cambodian land given to private firms as ELCs

**420,000**  
Minimum number of people affected by ELCs and other land grabs in roughly half the country (in the cases investigated by LICADHO since 2003)

**15,070**  
Number of people affected by land grabbing in Phnom Penh and 12 provinces in 2013



A house is destroyed during an eviction in Sihanoukville in March 2013.

billing.

Although the so-called moratorium has slowed the pace of new ELCs, it did not totally stem the tide, with at least 16 new concessions granted since the ban was announced in 2012, totaling over 80,000 hectares. In 2013 alone, the land of almost 2,900 families was grabbed. More than 460 of these families were forcibly evicted.

Meanwhile, the promised “systematic review” has yet to materialize, and none of the well-documented problematic concessions have been cancelled.

The land-titling program has also sparked controversy. The program sent over 2,000 ruling party-affiliated youth volunteers to crisscross the country, measure land and issue titles. Implementation has also been shrouded in secrecy, and independent monitoring has been explicitly forbidden.

Although the government **claims** that it provided titles to over 470,000 families, covering 1.8 million hectares of land, the program meticulously avoided most areas of land conflict, where ELCs had infringed on the land of previous occupants.

Perhaps most troubling, however, is the fact that the program was funded by private donations from the Prime Minister and his closest allies: high-ranking members of the ruling CPP and business tycoons. In other words, the program completely bypassed established state institutions, leading some to call it a massive act of vote-buying.

In addition, there have been numerous credible reports of landholders, especially in indigenous communities, being intimidated or tricked into accepting terms dictated by the volunteer students. Such individual titles undermine extensive efforts to protect indigenous communities through communal land titling. There are also credible reports of landholders being told their new titles would be revoked if the ruling party loses the elections, or being told their official title would only be delivered after a successful election.

### SUGAR UNDER SCRUTINY

Cambodian sugar plantations – many of which are built on land violently wrested from poor farmers – were in the international spotlight throughout 2013.

Since 2009, an increasing number of ELCs have been used to produce raw sugar. This is directly linked to the European Union’s (EU) Generalized System of Preferences (GSP) preferential trade scheme, which allows Cambodia to export sugar to the EU duty free, specifically under its Everything But Arms (EBA) categorization.

Cambodia went from virtually zero sugar holdings in 2006 to more than 100,000 hectares under lease to agro-industrial firms for cane production in 2012. Since the liberalization of the EU sugar sector went into effect in 2009, the value of annual Cambodian sugar exports jumped from US\$51,000 to US\$13.8 million in 2011. Some 92% percent of exports went to the EU. Those who export the sugar have openly and repeatedly stated that they invested in sugar in Cambodia in order to be able to take advantage of EBA.

The development of the Cambodian sugar industry has been accompanied by violent forced evictions; widespread seizures of farmland; destruction of property, crops and community forests; and the use of violence and intimidation.

EU regulations set up human rights safeguards which require an investigation, and potentially the withdrawal of trade preferences, where serious and systematic human rights violations have been found. But thus far, the European Commission has not triggered these safeguards. In March, 13 Members of the European Parliament formally requested an investigation of ELC-related human rights abuses

**\$13,800,000**  
Minimum value of Cambodian sugar exports

**92%**  
Cambodian sugar exports that went to the EU

“My family has been forcibly evicted from our land and home, under threats by armed forces. Since I lost my farm and home I had to rent farmland and take out loans to pay for daily living expenses. I cannot afford this so I needed to ask my son to stop studying. My children have been taken out of school since we lost our land and home.”

51-year-old Mrs. Hoy Mai

in Cambodia. The European Commission declined.

Meanwhile, a group of 200 villagers from Koh Kong province took matters into their own hands, launching a multi-million pound **civil lawsuit** against Tate & Lyle in the UK, claiming the sugar company knowingly profited from unlawfully seized land. Some 600 villagers from Oddar Meanchey province filed **a separate complaint** with the National Human Rights Commission of Thailand against Thai sugar giant Mitr Phol Sugar Corporation, which holds large concessions in Cambodia. Their case is still pending, as efforts to enforce the requirements are met with court inaction.

## LOOKING TO 2014

At the end of a turbulent year, it may appear that little has changed in Cambodia; the old power structures remain in place and the government continues to bear down hard on any threats to its authority. But on the streets, things have changed. The people have mobilized themselves as never before and, despite the risks, refuse to be daunted. With neither side backing down, a peaceful 2014 is an unlikely prospect.

## CITATIONS TO HUMAN RIGHTS 2013 IN NUMBERS

- 1 <http://www.licadho-cambodia.org/reports.php?perm=184>
- 2 <http://www.licadho-cambodia.org/reports.php?perm=184>
- 3 <http://www.rfa.org/english/news/cambodia/broadcast-06302013140732.html>
- 4 <http://licadho-cambodia.org/pressrelease.php?perm=313>
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- 6 <http://www.cambodiadaily.com/archives/impunity-reigns-as-fatal-shootings-continue-to-go-unpunished-47769/>
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- 9 [http://www.licadho-cambodia.org/collection/13/exploding\\_prison\\_population\\_2012](http://www.licadho-cambodia.org/collection/13/exploding_prison_population_2012)
- 10 [http://stream.licadho-cambodia.org/ihrd\\_2013/](http://stream.licadho-cambodia.org/ihrd_2013/)
- 11 <http://www.phnompenhpost.com/7days/size-me-calculating-crowds-cambodia%E2%80%99s-demonstrations>
- 12 [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/genericdocument/wcms\\_223988.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/genericdocument/wcms_223988.pdf)
- 13 <http://www.cambodiadaily.com/news/labor-ministry-ignored-its-own-research-on-minimum-wage-51977/>
- 14 <http://www.phnompenhpost.com/national/thugs-police-attack-protesters-and-journalists>
- 15 <http://www.licadho-cambodia.org/pressrelease.php?perm=314>





On December 10, 2013, a man joins the International Human Rights Day celebrations with lotus flowers, a symbol of peace in Cambodia which have become a feature of protests calling for justice.

# HUMAN RIGHTS MONITORING



Streets are barricaded throughout Phnom Penh during a CNRP protest, September 15 - 17, 2013. The barricades resulted in a number of clashes, the most serious of which left one young man dead and several more injured on the evening of September 15.

## At the Frontline of Change

LICADHO's Human Rights Monitoring Project (HRMP) investigates a wide-range of human rights violations including politically motivated cases, human trafficking, land grabbing and forced evictions. In 2013, LICADHO monitors, in Phnom Penh and at each of LICADHO's 12 provincial offices, investigated a total of 972 new cases, up from 804 cases in 2012. The increase is primarily explained by a significant surge in politically motivated cases surrounding the National Assembly elections.

As a result of the 2013 national elections, politically motivated violations dramatically increased from 22 in 2012 to 140 in 2013, accounting for 29% of the 485 cases investigated by LICADHO monitors. Additionally, human trafficking and land rights violations continue to account for large percentages of the cases investigated. LICADHO human rights monitors investigated 108 cases of human trafficking, including 100 cases of labor trafficking and 8 cases of sexual trafficking, as well as 92 cases of land grabbing and forced evictions. Monitors also investigated 11 cases concerning human rights defenders, 6 cases regarding freedom of the press as well as 19 killings and 15 attempted killings. In total, 145 cases, accounting for 30% of those opened in 2013, were resolved by competent authorities, courts or the Cadastral Commission for land disputes.

One key event monitored by LICADHO staff was the deadly clash between garment factory workers and police and military police forces on November 12. Violence erupted between six hundred striking SL factory garment workers and police and military police forces in Phnom Penh's Meanchey district. Police fired water cannons at the crowd, igniting the first wave of violence in which one police truck and two motorbikes were overturned and set on fire. As the number of security forces and citizens grew, two more clashes followed, resulting in the death of one bystander - shot dead by police officers - and bullet injuries to at least seven civilians. LICADHO monitored the clashes, helped injured civilians to get medical treatment and accompanied those arrested. LICADHO human rights monitors also took photo and video evidence of police officers firing handguns into the crowd

### LICADHO's Impact

# 113

Cases investigated in 2013 by HRMP that were resolved in part as a result of interventions by LICADHO monitors. Interventions typically consist of providing para-legal advice to victims, meeting with relevant authorities to present evidence and request that actions taken to resolve the case, and/or filing complaint at court.

# 49%

Human rights violations investigated in 2013 by HRMP that were perpetrated by state actors such as security forces or public servants. Another 23% of the cases were perpetrated by the private sector - the majority of them involved human labor trafficking or land grabbing.

of protesters as well as several brutal beatings of monks and civilians with batons. Seven monks were beaten and injured by police/military police forces. 29 civilians and 12 monks were detained.

## INTERVENTIONS

Another critical task performed by HRMP staff is to conduct interventions on behalf of victims such as providing legal advice, helping victims file complaints, and meeting with relevant authorities. In 2013, LICADHO's human rights monitors intervened in 275 of the cases investigated and 113 cases were resolved in part as a result of the intervention.

One example of a successful intervention by LICADHO monitors was the case of three men illegally arrested and detained for four days by the police chief of the Koas Krola district, Battambang province. Despite a total lack of evidence or witnesses, the district police chief accused the victims of starting a fight at a wedding party, arrested them and demanded 3 million riels for their release. Relatives of the three filed a complaint at LICADHO's Battambang office, after which the LICADHO monitor met the provincial police chief to brief him on the situation. Following the meeting, on the same day, the three were released without being charged or having to pay a bribe.

LICADHO monitors also intervened when an armed force of fifty military police and forestry administration officers destroyed 100 villagers' houses during an eviction in Koh Kong province in March. A group of five military police officers threatened the villagers by shooting into the air. LICADHO monitors immediately contacted the provincial authorities and requested intervention, after which the shooting stopped and the group left.

## WOMEN'S AND CHILDREN'S RIGHTS

LICADHO investigated 263 incidents of violence against women in 2013, 181 cases of domestic violence, 80 rapes or attempted rapes and two acid attacks. Women were killed in 14 of the cases investigated, eight from domestic violence, four following rape and both acid attack victims.

Monitors also investigate human rights abuses against children and provide specialized assistance to young victims. In 2013, they investigated a total of 224 new cases, of which 172 were rapes. Other cases involved child labor, human trafficking for sexual exploitation, and murder.

Altogether, monitors documented a total of 252 rapes (including 23 attempted rapes), accounting for 52% of all women's and children's rights cases investigated in 2013. These cases included 12 gang rapes, two of which involved minor victims



Boeung Kak community members call for a solution to their land dispute on World Habitat Day, October 10, 2013.

# 28,320

Views on LICADHO's Facebook and YouTube channel of a LICADHO video showing deadly clashes during a garment worker strike on November 23 in Phnom Penh. The video consists exclusively of footage collected by LICADHO monitors present at the scene of the violence, and offers graphic evidence of police brutality, including officers firing pistols into the crowd as well as severe beatings of detained workers, bystanders and monks. Two stills from the video were published in the Cambodia Daily newspaper.

# 2

Victims with severe gunshot wounds inflicted by security forces who were taken to hospital by LICADHO monitors from the scene of a clash at a garment workers' strike on November 23 in Phnom Penh. Both victims survived but one victim is likely to remain paralyzed due to spinal damage caused by the bullet.

# 129

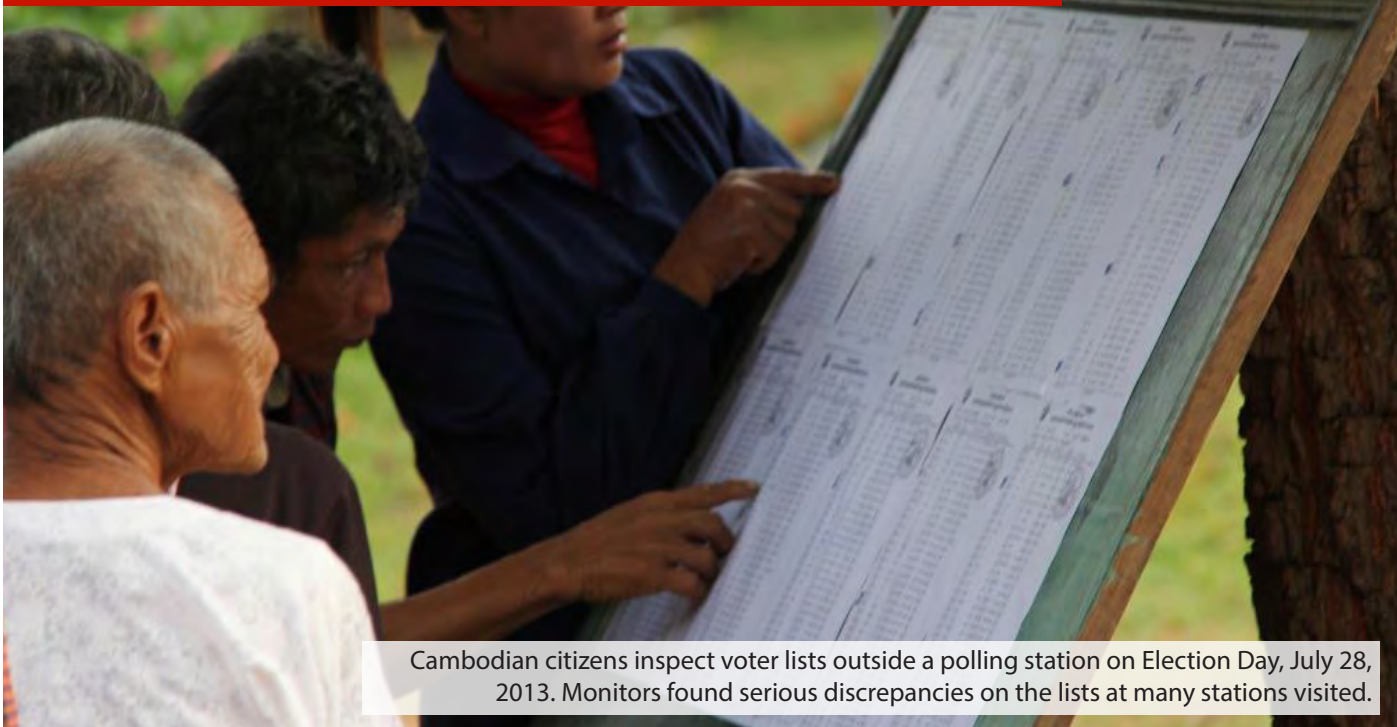
Rape cases investigated by Children's Rights and Women's Rights Monitoring Project in 2013 where the perpetrators were arrested; in four of these cases the perpetrators were convicted. In another 62 cases arrest warrants were issued but the perpetrators have not yet been apprehended. Monitors interview the victims of rape, relatives or witnesses, and if possible make referrals to hospitals, LICADHO's medical and social project or partner organizations. If authorities do not act to solve the case monitors provide para-legal advice, meet with authorities to urge for investigations, or file a complaint at court.

under the age of 18, and eight rape-murders involving four underage victims. In 30% of the rape cases, the victim was below the age of 12. Additionally, in 35 cases the perpetrator was a minor below the age of 18. Monitors can intervene in cases by providing legal advice, assisting victims to file complaints, and meeting with relevant authorities as well as issuing referrals for medical or social assistance. In 2013, LICADHO intervened in 106 children's rights cases, including 82 rape cases, and 174 women's rights cases, including 44 rape cases and 126 domestic violence cases.



SL garment factory workers are confronted by anti-riot police as they protest in front of Prime Minister Hun Sen's house on October 21, 2013.

# ELECTION DAY MONITORING



Cambodian citizens inspect voter lists outside a polling station on Election Day, July 28, 2013. Monitors found serious discrepancies on the lists at many stations visited.

## “My vote, my life”

In 2013, LICADHO ramped up its election monitoring efforts following complaints of names deleted from voter rolls and reports of extensive electoral fraud. For election day monitoring, LICADHO coordinated partner NGOs such as Equitable Cambodia (EC) and Sahnakum Teang Thaut (STT), and community-based organizations, to exchange real-time observations made at polling stations through an online application and investigated individual reports made on social networking sites. With this technology, LICADHO was able to facilitate enhanced communication with a large number of observers, including 114 LICADHO staff and 59 partners, across 20 provinces.

Based on these accounts, LICADHO **compiled key observations and serious discrepancies** witnessed during the elections, collected from staff and partners who visited over 100 polling stations. As there are 19,009 polling stations in Cambodia, the report is not a comprehensive analysis, but it does provide an insight into the glaring shortcomings in the voting system and demonstrates the need for independent in-depth investigations into the entire election process.

### **DENIED THE RIGHT TO VOTE**

Despite registering in advance, many people found their names missing from the voter rolls at their polling stations, or were told that someone else had already voted in their name. Often, the earlier voter had used a commune chief-awarded identity certificate in lieu of a photo ID, known as Identification Certificates for Elections (ICEs). Others were unlawfully denied their right to vote for reasons such as failing to bring their voter information slips with them.

### **VOTE RIGGING**

Observers found evidence that voter rolls had been intentionally manipulated. For instance, some individuals freely admitted that their large group had been brought to a certain commune to vote by their employer, despite being registered and

**Observers witnessed serious discrepancies recurring in a majority of the stations visited.**

The most common issues can be classified as follows:

- Voter roll irregularities, including inexplicably missing names and denials of the right to vote
- Indications of intentional fraud or vote rigging
- Intimidation or harassment

residing elsewhere. Also, local residents in some communes identified well-dressed non-residents arriving in convoys of luxury cars to vote. Observers also noted mobile military units traveling from Oddar Meanchey and Preah Vihear provinces and sleeping overnight in nearby pagodas in order to vote in new polling stations in Siem Reap province. It was later revealed that the CPP received an abnormal amount of the vote in new polling stations. Additionally, university students admitted illegally casting ballots in Kandal province, a crucial battleground. LICADHO also found that election day voters in some communes significantly exceeded recent estimates of eligible voter populations in those communes. This was most commonly found in Kandal province, along with communes in Phnom Penh, Siem Reap, and Kratie provinces, with reports of up to 120 percent turnout at some polling stations.

### INTIMIDATION

Residents reported intimidation inside polling stations by party officials and local authorities, and that these officials took notes on who had voted. Other reports include voters being questioned extensively the night before the election. Observers also witnessed discrimination at certain polling stations, where crowds prevented individuals from voting based on apparent Vietnamese ethnicity.

### ADVOCATING WITH PARTNERS

To evaluate information and help hold the election administration and dispute resolution institutions accountable for electoral violations, LICADHO participated in the Situation Room, a coalition of 21 civil society organizations that monitored election-related activities and made joint calls for resolution. Together, the members of the Situation Room **documented over 11,000 cases of irregularities** and spoke out jointly for reform of election-related laws, procedures, and mechanisms.

LICADHO was also an active member of the Election Reform Alliance (ERA), a coalition of eight NGOs that formed following the July 2013 national election in order to bring integrity to Cambodia's election processes.

LICADHO contributed monitoring information and population data analysis to the ERA's **Joint Report on the Conduct of the 2013 Cambodian Elections**, the most thorough review of the election irregularities to date. The report found that roughly 1.25 million names were missing from voter rolls and that nearly 20 percent of names on the voter rolls were invalid. The ERA also exposed instances of duplicate names, over-registration in certain districts, and the use of invalid ballots during the election. The report also concluded that in areas of over-registration, and areas with extensively commune chief-awarded ICEs, the CPP enjoyed a significantly greater than average poll success.

## Experiences from Siem Reap Province

At Trapeang Krasang School, polling stations #1143, #1103, #1173 and #0815 in Kouk Tnaot Village, Varin district, Kouk Chak Commune, approximately 1,200 soldiers from Special Forces Unit 911 were brought to vote. The Trapeang Krasang village is new, with two new polling stations.

Also in Varin district, LICADHO observers at polling stations #1142 and #0877 at Roum Run Thmey primary school witnessed 600 soldiers from the same Special Forces Unit 911 arrive to vote all at once. They arrived in six trucks with military plates. Observers reported that out of the 600 who voted, only about 20-40 were civilians. The soldiers were also all witnessed sleeping at a local pagoda. Polling station #1142 is also a new polling station, established this year. Adding further doubt, the station showed a highly unusually low female to male ratio on the voter list.



# PRISON MONITORING AND ADVOCACY



Celebrating International Women Rights Day in CC2 prison, March 8, 2013. LICADHO distributed food, water and care packages to inmates.

## Identifying Abuse, Protecting Rights

Every week LICADHO researchers visit 18 of Cambodia's prisons to monitor conditions, identify individuals with legal and medical needs and investigate the occurrence of torture. As well as interviewing pre-trial detainees and convicts, LICADHO regularly meets with family members of prisoners and released prisoners. During 2013, 1746 prisoners were interviewed by LICADHO prison researchers.

LICADHO's medical team conduct field visits to 14 prisons at least once a month to provide medical care, monitor prison conditions and promote prison health care, including on-the-job training to prison health staff. The most common ailments identified and treated during 2013 were upper respiratory tract and pulmonary infections, beriberi, gastrointestinal problems and arthralgia, malnutrition and scabies. In emergency cases LICADHO intervenes to ensure the patient is transferred to hospital. LICADHO prison and medical staff are also trained to identify prisoners with mental health needs.

In December 2013, LICADHO representatives met with and provided detailed information to the UN Subcommittee on the Prevention of Torture (SPT). The Committee members were in Cambodia to meet government officials and make unannounced inspections of places of detention. LICADHO's findings show that since the SPT first visited Cambodia in December 2009, there has also been no discernible change in the type, frequency and severity of abuse recorded in Cambodian prisons and police stations.

Conditions of detention in Cambodian prisons are harsh, largely due to severe overcrowding, inadequate sanitation and food, poor sleeping arrangements and lack of appropriate medical services. Many prisoners are denied regular and adequate recreation time. Contact with the outside world, including family visits, is often limited and, like access to most other basic rights, contingent on bribes.

Incarceration continues to be the default punishment for those awaiting trial in

### LICADHO's Impact

18

Pre-trial inmates who had been held past the legal time limit who received a trial following LICADHO intervention

11

Prisoners released following LICADHO intervention

9,145

Medical consultations in prisons

Cambodia, regardless of the nature of their crime, family situation and age. There are few attempts to divert anyone, even pregnant women and juveniles, away from the judicial system or to consider non-custodial pre-trial measures. Pre-trial detainees, including those awaiting final verdict or appeal, currently represent more than 60% of the entire Cambodian prison population.

At the end of 2013 there were 12,789 inmates in the prisons monitored by LICADHO, including 1,016 women and 317 juveniles.

Of the many interventions made during 2013, there were 246 major successes. Following LICADHO intervention 18 pre-trial inmates who had been held past the legal limit for pre-trial detention received a trial; the Court of Appeal conducted hearings for 197 inmates who had been awaiting appeal; 20 inmates obtained their final verdict and 11 prisoners were released, 10 who had been detained over the legal time limit and one who had been held without trial.

### **SPECIALIZED INTERVENTIONS**

LICADHO plays a vital role in ensuring that prisoners' legal rights are respected through interventions on behalf of individual prisoners. These interventions typically involve a formal letter to the appropriate authorities requesting action as well as follow up through in-person meetings, additional letters, contact with other authorities, and phone calls.

### **RESPONDING TO EMERGENCIES**

In October almost 900 inmates at Banteay Meanchey prison were evacuated after floods destroyed a prison wall and inundated the prison grounds. The inmates were transferred to the already severely overcrowded Siem Reap and Battambang prisons. LICADHO responded by sending in two emergency medical teams to treat the evacuees. LICADHO also provided extra food, materials and medicine to Siem Reap and Battambang prisons to help them cope with the influx of extra prisoners.

### **CELEBRATING HUMAN RIGHTS IN PRISONS**

On International Human Rights Day, LICADHO organized basic food package distribution to all prisoners in 18 Cambodian prisons and provided a more comprehensive care package to imprisoned human rights defenders. LICADHO also organized entertainment in 18 prisons, such as traditional dancing and music. Similar events were organized to mark International Women's Day and International Children's Day.

### **EARLY YEARS BEHIND BARS – A NEW DIRECTION**

In October, LICADHO held a two-day workshop to chart a new direction for its work on children and pregnant women living in prison.

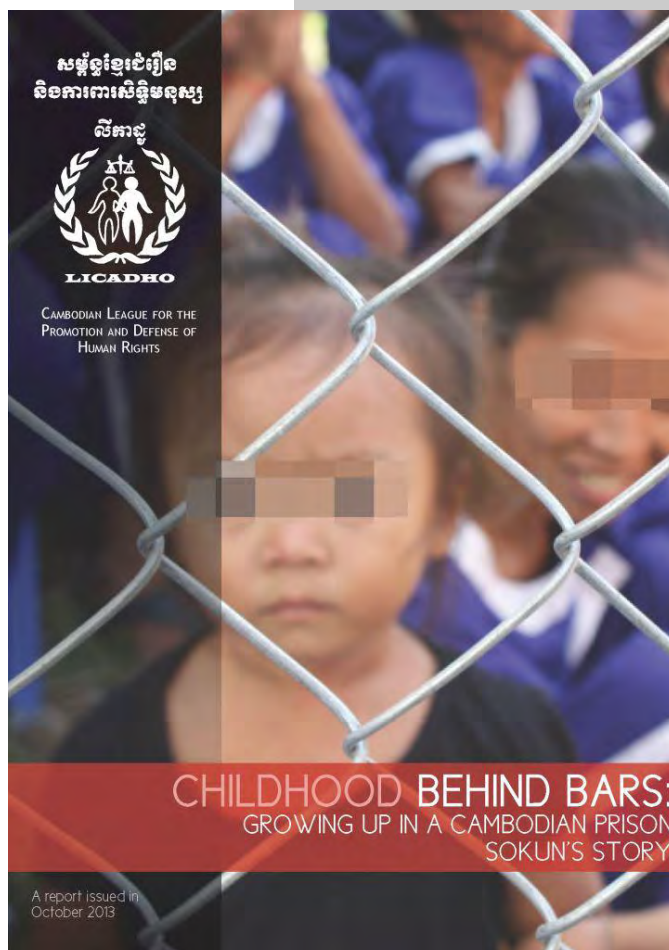
In Cambodia, children are allowed to stay in prison with an incarcerated parent until the age of three though some stay longer. For some families the lack of suitable alternative childcare means that prison is the only option.

By the end of 2013 there were 16 pregnant women and 35 children living with their mothers in the prisons monitored by LICADHO. Six of these children were over the age of three. The vast majority of the women were held on drug trafficking charges and other minor offences and most disturbingly, almost half of them were held in pre-trial detention.

LICADHO has identified prevention as one of the key priorities for its renamed Early Years Behind Bars project. Alongside LICADHO's traditional work in this

## **Case study**

33-year-old Chhun Heang, was arrested in July 2007 and charged with theft. A year after his arrest he was sentenced to 13 months in Siem Reap prison but his sentence was appealed by the provincial prosecutor. When LICADHO met Chhun Heang in September 2013, he had already been in prison for more than six years and had received no information about the prosecutor's appeal. LICADHO's provincial staff immediately contacted the provincial prosecutor to request intervention. Chhun Heang was released just days later and an investigation was set up into his overdetention.





area, including the provision and coordination of services, LICADHO will focus on preventing the needless and harmful incarceration of children, mothers and pregnant women.

Drawing on 10 years' experience working with pregnant women and children in Cambodian prisons, LICADHO will also expand its advocacy work to create a broader understanding of when it is appropriate and reasonable to allow a child to stay in prison and the provisions that must be in place to cater for the special needs of both mother and child.

LICADHO issued the first in a series of case studies to raise awareness of the impact of prison life on young children. With the help of the organization INDIGO, LICADHO assessed the physical and psychological functioning of Sokun who was born and raised in prison until he was almost seven years old.

Sokun's story demonstrates that the Cambodian prison system is incapable of providing for and protecting children in prison. LICADHO's report concludes with recommendations to the authorities, including the need to introduce comprehensive, individual assessments and specialized training for prison staff.



A boy visits his mother in CC2 prison, facilitated by LICADHO.

# COMBATTING HUMAN TRAFFICKING



A woman trafficked abroad for labor is met by her family upon her repatriation to Cambodia in December 2012.

## Tackling the People Trade

Every year, thousands of Cambodians fall victim to human trafficking syndicates and an unregulated labor recruitment industry. Human trafficking for sexual exploitation remains prevalent, while labor trafficking has emerged as an equally important problem in recent years with many Cambodians sent abroad into situations of forced labor and debt bondage. Abuses include child recruitment, unpaid wages, dismal working conditions, physical and sexual abuse, enforced disappearances, and limited access to assistance or redress.

In 2013, human trafficking was one of the commonest human rights violations monitored by LICADHO making up 25% of all cases taken up by LICADHO's HRMP that year. A total of 117 human trafficking cases were investigated involving 336 individuals, nearly 90% of whom were victims of labor trafficking, predominantly to Malaysia and Thailand. Cases of trafficking for sexual exploitation investigated in 2013 involved 41 women, including at least seven underage girls. The majority of women were forced into prostitution in China.

### DOMESTIC WORKERS IN MALAYSIA

After several years of the systematic abuse of Cambodian domestic workers in Malaysia, at the end of 2011, the Cambodian government issued a moratorium on sending domestic workers there. The ban remains in place, and means that currently no domestic workers can be trafficked by recruitment agencies or fall into abusive labor conditions in Malaysia. However, those domestic workers already in Malaysia have received little help or protection from the Cambodian authorities and remain vulnerable to further abuses.

The ban has had the unwanted effect of increasing forced contract extensions because of the need to make up for the lack of new arrivals from Cambodia. Work extension contracts are commonly signed in private by the employer and the worker with the worker facing loss of salary if she refuses. Employers state that their staff

### LICADHO's Impact

# 95

Victims of human trafficking, including 17 women, repatriated from Malaysia, Indonesia, Thailand and China to Cambodia in 2013.

# 336

Victims of human trafficking, in a total of 117 cases, documented by LICADHO in 2013. Among them 88 men working on fishing boats in Asia and beyond, another 93 victims of labor trafficking to Malaysia and 27 Cambodian women forced into prostitution in China.

have voluntarily signed the contract but many workers claim that they were unable to understand the terms. Often passports are withheld, women are threatened with physical violence or imprisonment if they attempt to escape, and are sometimes forced to work for other employers. Many have no opportunities to contact their relatives or NGOs and are reported missing by their families. The cases investigated by LICADHO in 2013 involved the disappearance of at least 38 women, while 28 reported forced contract extensions or other abuses such as bad working conditions, no or low payment, maltreatment and violence.

The governments of Cambodia and Malaysia are currently seeking to lift the moratorium on domestic workers despite the fact that many of the problems prompting the original ban have not been addressed; gaps in the regulation of Cambodian recruitment agencies remain and legal protections and complaint and support mechanisms for victims are not yet in place. Cambodian authorities have failed to prosecute the majority of documented offenders. Investigations by LICADHO in 2013 found evidence that at least three Cambodian recruitment companies involved in sending Cambodian women into exploitative working conditions in Malaysia are now accused by numerous victims of labor trafficking to Thailand. Two other companies are recruiting women for work in Singapore.

### **CAMBODIANS ENSLAVED ON FISHING BOATS**

LICADHO continues to receive complaints from Cambodians who are forced to work in exploitative conditions on long-haul fishing trawlers in the South China Sea and off the coasts of Africa. In 2013, LICADHO opened 12 new cases of human trafficking of Cambodian fishermen, involving 88 men. In general the victims are either tricked by Cambodian labor agencies or trafficked by brokers and crime syndicates. They are kept at sea for months and sometimes years, working 20-hour days without pay, adequate food, or freedom to leave. They are often physically abused, suffering beating, torture and drugging at the hands of the boat crew.

In 2013, LICADHO monitors and lawyers continued their work on behalf of victims of Giant Ocean International Fishery Co. Ltd. recruitment agency. Giant Ocean is a recruitment agency that purported to offer Cambodians work in Malaysia, Thailand and Japan. In March 2012, however, organizations throughout Cambodia began receiving numerous complaints from victims who had managed to return to Cambodia.

The vast majority of Cambodians were not sent to the countries identified in their contracts and in some cases they were sent to distant locations including South Africa, Senegal and Mauritius. This violated not only the individual contracts but also the terms of the company's operating license.

After receiving complaints for over a year from numerous trafficking victims, joint investigations by LICADHO, Community Legal Education Center (CLEC) and Legal Support for Children and Women (LSCW) led to an arrest warrant being issued for Lin Yu Shin, a Taiwanese national and head of Giant Ocean. On May 10, Lin Yu Shin was arrested in Siem Reap and charged under the Law on Suppression of Human Trafficking and Sexual Exploitation. Since the arrest, LICADHO has continued to provide legal representation for victims and to investigate the company, trying to identify and secure arrest warrants for other leaders within Giant Ocean, including Lin Yu Shin's husband. A decision on the case is anticipated from the Phnom Penh Municipal Court in March 2014.

# 38

Cambodian domestic workers in Malaysia disappeared in 2013, according to investigations by LICADHO. Another 28 domestic workers sent to Malaysia reported abuse at their workplace.

# 39

Cases of human trafficking where LICADHO's social work project provided food and material assistance

## **An emerging trend: Trafficking of women to China for sexual exploitation**

In 2013 a worrying new pattern in human trafficking emerged. Women travelling to China in the belief that they are doing so to enter an arranged marriage with a Chinese husband, find on arrival they have been sold to brothels and forced into prostitution. In 2013 LICADHO received complaints from 27 women who are still trapped in Chinese brothels unable to escape. In 2011 and 2012 LICADHO received no such complaints. LICADHO is currently attempting to identify possible partners in China to work on this issue.



Labor trafficking victim Prum Vannak began drawing pictures of his experience on his return to Cambodia in 2010. This sketch shows Vannak locked up with other trafficking victims. Picture courtesy of Prum Vannak.

# SPECIALIZED LEGAL ASSISTANCE



Tim Sakmony, a land activist from Borei Keila, was released on December 26, 2012. She was represented by a LICADHO lawyer.

## Defending the Innocent

During 2013, LICADHO's lawyers opened 22 new cases, representing 50 clients across six provinces and Phnom Penh. The cases involved land grabbing, human rights defenders, human trafficking, domestic violence, rape, and special cases including the legal representation of six men who were arrested in violence at Kbal Thnal sky bridge as well two youths arrested in violence at Steung Meanchey.

The lawyers also organized two mock trials and practice interrogations for clients in preparation for upcoming hearings in land grabbing related cases. These activities build confidence, and increase understanding of court procedures and clients' roles within the proceedings. LICADHO lawyers built trust with their clients by visiting them in their own communities or homes. The presence of LICADHO lawyers at interrogations also served to protect clients from ill treatment, harassment, forced confessions and bribery.

### FLOWERS TO SOLDIERS

Since the National Assembly elections on July 28 Cambodia has been in a state of political uncertainty. In an early effort to reduce tensions and prevent violence, a youth group prepared and publicized a plan to present flowers to soldiers. On August 15 all four were arrested.

Sok Dalis was arrested at a flower shop in Phnom Penh and Tut Chan Panha was arrested on the way into Phnom Penh, while the other two youths were similarly arrested at separate locations. All four were sent to the Phnom Penh police headquarters for two nights before they were sent to the Phnom Penh Court. At court, the youths were charged with incitement to commit a felony, for which they faced a prison sentence of six months to two years and a fine of \$250 - \$1,000.

LICADHO lawyers represented two out of the four youths, submitting defense letters on the day the youths were sent to prison and requests for bail release two days later. The day after receiving the requests for bail release, the investigating

### LICADHO's Impact

# 11

Cases successfully closed in 2013, involving 30 clients including 6 women. Nine of the cases were pending from previous years, two were opened in 2013. Cases were closed for one of the following reasons: charges against clients were dropped by trial judge or investigating judge; plaintiffs withdrew their complaint; clients released after receiving a reduced prison sentence.

# 5

Men, including one minor, who were arrested on September 15, when clashes erupted at a road-block in Kbal Thnol, Phnom Penh, were released on bail in October and December. A sixth man, also represented by LICADHO's lawyers, remained in pre-trial detention.

judge granted the youths bail under judicial supervision and the lawyers were able to successfully secure the release of their clients from prison that same day.

Three weeks after their arrest, on September 5, LICADHO's clients were summoned to meet officials of Phnom Penh Municipality and, finally, the investigating judge issued a warrant to drop the charges the following day.

### **VIOLENT SUPPRESSION LEADS TO ARBITRARY ARRESTS**

On September 15 the CNRP began a three-day protest calling for an independent investigation into the election results. After a largely peaceful day tensions escalated. Barbed wire barricades had cut off major arteries of the city throughout the day, resulting in traffic chaos at key locations in the capital. Near Monivong Bridge, police reacted with physical violence and tear gas to a late-evening stand-off between hundreds of police and a crowd of those caught up in the traffic, including commuters, local residents and demonstrators.

During the violent suppression, in which one man was killed, five adults and one minor were arbitrarily arrested in the area. None of the arrestees had been involved with the violence. The following day two LICADHO lawyers accompanied all six to court. During the next week, the lawyers visited them several times and accompanied each client as they were called to testify in front of the investigating judge. Subsequently, the lawyers investigated the incident, speaking with family members and identifying witnesses before submitting a bail release request on September 30.

On October 10, the investigating judge granted bail for four of the clients but denied bail for the other two, including the minor. The lawyers quickly drafted an appeal against the denial of bail and, on December 2, 2013, the minor was also released on bail. Unfortunately, one client remained in provisional detention but the lawyers appealed the bail verdict to the Supreme Court and will continue to press for his release.

### **YORM BOPHA FREED**

Yorm Bopha, who has been named an Amnesty International prisoner of conscience, is an outspoken land rights activist and a central figure in the Boeung Kak community's long-running campaign against forced eviction. After 13 members of her community were violently and arbitrarily arrested in May 2012, Bopha played a central role in the campaign for their release and did not shy away from publicly criticizing government officials. These public activities gained her notoriety in the eyes of the government, leading police to threaten, harass and intimidate her at every opportunity.

On September 4, 2012, the police carried out their threats to arrest her but not for any reason directly related to her activism. Instead, she was arrested on a fabricated charge of committing intentional acts of violence during a fight that broke out at a drink shop shortly after dark. During the trial at the Municipal Court, the prosecutor did not present a single piece of evidence or testimony to support the claim that Bopha participated in the fight in any way. Despite clear exculpatory evidence that she arrived after the fight began and watched from the outside with a group of observers, she was convicted to three years in prison.

The peculiarity of Bopha's case continued at the Court of Appeal in June. The Court of Appeal suspended one year of her sentence but in doing so

# 7

New cases related to land grabbing were taken up by LICADHO lawyers in 2013. The 22 clients - from Banteay Meanchey, Svay Rieng, Kampong Speu and Kampong Chhnang provinces - were charged with intentional damage of property, illegal occupation of state land or illegal logging after their land was grabbed by powerful business interests. Lawyers informed the clients about their legal rights, the status of their cases, and provided legal representation and assistance while going to court.



Yorm Bopha rejoins her family and community after her release on bail on November 22, 2013

found her guilty of an entirely distinct charge that was never tried by the lower court. According to the Court of Appeal, Bopha was not guilty of participating in the violence but was guilty of masterminding it. In contrast, her husband, who was also convicted by the lower court on identical charges, had his conviction fully suspended by the Court of Appeal. As with the previous trial at the Municipal Court, the appeal hearing was characterized by a stunning lack of evidence.

In a highly anticipated trial, Bopha's case was finally heard by the Supreme Court on November 22, 2013 with more than 400 supporters, including monks and civil society, joining her family and community outside the courtroom. After more than 14 months in prison, she was finally released. Disappointingly, however, the Supreme Court did not overturn her conviction but simply released her on bail and remanded her case to be re-heard by the Court of Appeal. No date has yet been set for the re-trial. LICADHO lawyers have supported Bopha throughout the entire legal process and will continue to do so.

### LAND ACTIVISTS CLEARED OF GROUNDLESS CHARGES

In 2013 LICADHO lawyers continued to represent high profile housing rights activist Chan Vichet. When a land dispute arose between the Dey Krahorn community and the 7NG company, Vichet's activism made him the target of several spurious criminal complaints filed by the company. At the end of January 2008, the chief of Sangkat Tonle Basac and workers hired by 7NG entered the community with an excavator and a bulldozer. When confronted by community members, these men started to throw stones at the gathered community members and a brief skirmish ensued during which the bulldozer and excavator received mild damage. Many witnesses testified during the investigation phase that Chan Vichet was not present in the community at the time of the incident. Despite his absence, the Phnom Penh Court Prosecutor still charged Vichet with intentionally damaging Sangkat Tonle Basac property.

Two LICADHO lawyers agreed to represent Chan Vichet in January 2011. They accompanied him when the investigating judge finally summoned him to testify in April 2011. After another hyper-extended delay, the Phnom Penh Court heard the case in January 2013 and dropped all charges against him five years after the incident and two years after the original complaint.

Two more land activists supported by LICADHO lawyers were Chey Sin and Kok Rin. Both are landowners in Kampot Province who had purchased plots of land in 2000 and been in occupation ever since. In 2011, the Forestry Administration in Chhouk district filed groundless complaints against both men for illegally occupying and clearing trees on forest land. After an extended delay, Chey Sin's trial was held in April 2013 and all charges against him were dropped. Kok Rin, prior to his representation by LICADHO lawyers, was convicted by the trial court in Kampot and sentenced to five years' imprisonment. Despite convicting him, the trial court suspended his entire sentence so the verdict was appealed by the prosecutor. LICADHO lawyers began to represent Kok Rin in September 2013, ahead of his hearing at the Court of Appeal. Shortly thereafter, in October 2013, the Court of Appeal dropped all charges against Kok Rin.

## Conviction of Chhouk Bandith in Svay Rieng Shooting Case

On February 17-20, 2012, thousands of factory workers demanding better work conditions held massive demonstrations at King Maker, Bestway, Sheiko and Kaoway factories. These factories are located in the Special Economic Zone (SEZ) of Bavet town, Svay Rieng province. As workers continued to protest for an increased monthly wage, Chhouk Bandith, then governor of Bavet town, arrived in the morning of February 20 and told the workers that he would solve the dispute. After approximately ten minutes and without cause or explanation, Chhouk Bandith pulled out a gun and fired into a group of thousands of workers, injuring three of them. After lengthy legal wrangling a trial was finally held at the Svay Rieng Court in June 2013. Although the police never apprehended Chhouk Bandith and the charges against him of involuntary bodily harm were little more than a slap on the wrist given the severity of his actions, the trial court found him guilty and sentenced him to 18 months in prison. The Court of Appeal upheld the decision of the trial court in November 2013 but Chhouk Bandith still remains at large. The case has now been appealed to the Supreme Court and LICADHO lawyers will continue to fight on behalf of the victims of this appalling act of violence.



Community leader Chan Vichet with Boeung Kak activist Yorm Bopha at the Court of Appeal in Phnom Penh before her release on bail on November 22, 2013.

# CHILD PROTECTION AND ADVOCACY



Children and youth celebrate World Day Against Child Labor in Kandal province on June 12, 2013.

## Human Rights Defenders in Training

In 2013 LICADHO's Child Protection and Advocacy project focused on training and developing the capacity of child protection group members to advocate for children's rights in their communities. LICADHO works with three types of child protection groups (CPG): children, youth and adults. In 2013, all three groups displayed greater initiative and confidence when advocating for children's rights.

### TRAINING CHILD PROTECTION GROUPS

In 2012, child protection groups were active in only five communes, whereas in 2013, this number rose to 10. In Siem Reap province, CPGs regularly participate in commune meetings and have encouraged local authorities to crack down on gang activity and drug abuse.

In Prek Anchanh commune, Kandal province, a CPG composed of youth, adults and teachers organized a forum theater on June 12, the World Day Against Child Labor. During this event, youth performed short dramas that addressed specific child rights and child labor issues. Forum theaters are effective advocacy tools because they require audience participation in identifying and solving children's rights and child labor issues.

In Bak Kaing commune, Russey Keo district, Phnom Penh, another CPG showed initiative by encouraging children working in brick factories and the fishing industry to return to school. Members of this group pooled financial resources to purchase pens, pencils and candy for children who have dropped out of school. Similarly, in Bak Long district, Koh Kong, one child protection group raised the issues of gambling and drug abuse during commune meetings. When the local police appeared unwilling to address these issues, the child protection group continued to raise awareness during commune meetings.

Youth members of child protection groups have been especially active in 2013. Twice, on May 31 and December 9, youth partnered with the LICADHO prison project to organize and facilitate games for female youth and adults detained in three prisons. Moreover, on December 8, in the midst of a 10-day International Human Rights Day celebration, youth joined a procession of monks, associations and rights

### LICADHO's Impact

5,614

People who participated in various awareness-raising activities on children's rights and child labor, including forum theatre performances, in four different provinces and Phnom Penh.

9

Broadcasts of live comedy performances on child labor on Cambodian television, covering topics such as child domestic workers, child labor in brick factories, and child street vendors.

81

CPGs in four provinces and Phnom Penh participated in local governance meetings such as the monthly meeting of Commune Committee for Women & Children.

defenders on National Road 6 to promote human rights.

Adult child protection groups have also shown initiative in raising awareness for child rights. In Koh Por village, Koh Kong province, an adult child protection group led by a teacher, Song Thoeun, has worked tirelessly to help children who have dropped out of school and work in the fishing industry. The reason most children drop out is due to a lack of middle school facilities. So far, this group has persuaded the families of seven children to send them to middle school in Koh Kong city.

### BILLBOARD AND MEDIA ADVOCACY CAMPAIGNS

In 2013, LICADHO child rights office continued its billboard advocacy campaign. In total, 18 billboards advocating against child labor, and promoting children’s education, were installed in seven locations including Battambang, Kampong Cham, Preah Sihanouk, Koh Kong, Siem Reap and Kandal provinces.

The child rights office also sponsored several radio talk shows, radio re-broadcasts, and comedy skits aired on national television. During the six radio shows hosted by Voice of Democracy (VOD) from November 23 to December 30, LICADHO received a total of 28 callers. Talk shows gave LICADHO a better idea of listeners’ questions and opinions regarding what the government and LICADHO can do to improve children’s rights. Most of these callers asked questions and offered comments on how the government and NGOs could improve children’s rights in Cambodia. This was an encouraging development from 2012 when many callers knew very little about children’s rights.



A billboard in Kampong Cham, one of 18 across six provinces, promotes children’s education. Others advocate against child labor.

## Child Protection Groups Participating in Local Governance

Rorn Srash, the leader of the child protection group in Siem Reap, took an active role by organizing group meetings and peer group disseminations, and by sharing his concerns. He and two other members always attend commune meetings. Before attending the meeting, they review all the issues related to child rights and child labor in the community. In 2013 Rorn Srash’s CPG group raised concerns about:

- The impact of gangs on the community and schools.
- School children who drop out of school and use drugs.
- Children in poor families who drop out of school to sell souvenirs at temples or to work at agriculture plantations.
- Security in the community along the road to school.

As part of the project CPGs visited Plan International to witness how children and communes engage in that the promotion of child participation in local governance. When they returned, they shared similar activities in their communes. So far, eight communes have allowed children to participate in commune meetings.

Rorn Srash is but one example in Siem Reap of a youth taking the initiative to bring about change in his community. Other children and youth in Koh Kong, Preah Sihanouk, and Kandal provinces are also becoming leaders among their peers.

Rorn Srash feels confident in encouraging his group to raise issues in the commune meeting. “I am so happy to be a CPG member who has the opportunity to attend meetings with the commune council. I have gained good experience of speaking in public meetings, and more importantly, I can raise child rights issues to help my community.” Rorn Srash wants to finish high school and continue to university so that he will be able to contribute more to society.



# HUMANITARIAN ASSISTANCE



A LICADHO medical doctor provides medical treatment to Phnom Bat relocation site residents on November 6, 2013.

## Bridging the Gap

As part of LICADHO's holistic approach to protecting human rights in Cambodia, the medical and social work teams provide medical, food and other emergency assistance to victims of human rights abuses. By treating injuries, restoring health and temporarily providing food and emergency aid, LICADHO enables the victims to overcome crises, and to gather the strength and courage needed to become advocates for rights and justice. Time and again LICADHO has witnessed ordinary Cambodians rising above their role as victims to become human rights defenders, promoting the rights of fellow community members and citizens.

### LICADHO'S SOCIAL WORK PROJECT

In 2013, LICADHO's Social Work Project provided food and material assistance to 3,319 individuals (in 383 different cases) in Phnom Penh and the 12 provinces where LICADHO has offices, as well as seven other provinces. More than half of the recipients were victims of land grabbing and evictions. Other recipients include 12 imprisoned human rights defenders and their relatives, victims of rape (54 cases) and domestic violence (17 cases), vulnerable children (123 cases) and victims of human trafficking (39 cases). Apart from the emergency aid, the social work team also produced a booklet on child care aimed at parents of vulnerable children. The document was introduced and distributed at workshops organized by Child Protection Groups, which are supported by LICADHO's Child Rights Project, and reached a total of 163 participants including commune council members, policemen and child advocates.

### PROVIDING AID TO LAND GRABBING VICTIMS AND HUMAN RIGHTS ACTIVISTS

LICADHO social workers gave food and material aid to 493 families (around 2,200 individuals) who were victims of forced evictions or land grabbing, or who are relatives of imprisoned land rights activists. The social work team worked in three relocation camps near Phnom Penh, two urban communities in central Phnom Penh involved in land disputes (Boeung Kak Lake and Borei Keila), and 10 predominantly rural communities in other provinces. In March 2013 for instance, in Anlong Veng district, Oddar Meanchey province, 119 families were forcefully evicted from

### LICADHO's Impact

# 21

Workers and bystanders injured during Stung Meanchey clashes in November 2013 who received medical treatment from LICADHO, including four victims with gunshot wounds. Several of the victims also received food and financial assistance from LICADHO's social work project.

# 2,215

Participants in various peaceful gatherings, demanding the release of imprisoned human rights defenders and land activists or advocating for pro-poor policies and democracy, received support from LICADHO's social work project in the form of food and material assistance as well as transport fees.

their homes and land to make space for rubber plantations. They did not receive compensation. LICADHO provided rice and other food and emergency goods to the poorest 24 families. Such short-term emergency aid can reduce the risk that victims of land grabbing become entrapped in spiraling debt. LICADHO contributes to the fulfillment of basic needs until victims are able to find new sources of income or take action to get compensation.

LICADHO's social work team also supports imprisoned land activists and their relatives. For example, in 2013, LICADHO provided assistance to Yorm Bopha and her family; LICADHO temporarily covered school fees and transportation costs for Bopha's nine year old son, who would otherwise have dropped out of school.

In addition to the provision of emergency aid, LICADHO's social workers also support community members who fight for the release of fellow land activists and who struggle to find solutions to land disputes. Assistance, such as food and transport fees, allows even the poorest community members to travel to provincial towns and participate in peaceful protests and gatherings. In 2013, LICADHO social workers assisted members of 10 different communities throughout the country in their efforts to voice their concerns, pressure authorities and make the public aware of their cases.

### LICADHO'S MEDICAL PROJECT

LICADHO is the only Cambodian human rights organization in Cambodia that employs a medical team to complement its human rights monitoring, legal aid and advocacy work. Medical assistance is an important component of human rights work as forced relocations and participation in protest activities often have serious physical and psychological effects on those involved. The Medical Project also regularly visits prisons and relocation sites where access to medical care is minimal or non-existent.

In 2013, the medical team conducted thousands of consultations during prison visits, covering 18 prisons (14 prisons were visited on a regular basis). Besides consultations and treatment of inmates as well as prison guards, LICADHO's medical team uses the prison visits to monitor prison conditions and investigate torture and deaths inside prisons. Bad hygiene conditions as well as lack of sufficient food are underlying causes of many diseases inside the prisons; for example, the government allots only 2,800 riel per day (about \$0.70 USD) to each prisoner for meals. To tackle these problems, in 2010 the medical team ran a pilot hygiene promotion and health education program in two prisons and provided vegetable seeds and tools for gardening in all the 18 prisons. The hygiene promotion and health education program that ran at Kampong Thom and Takeo prisons contributed to a significant reduction in the occurrence of scabies and other skin diseases. There are plans to expand the program to other prisons.

In 2013, the Medical Project also provided treatment to 152 victims of human rights violations (including 98 women), such as workers and bystanders who were beaten by police during strikes. They conducted 10,162 consultations with victims of land grabbing, most of whom were residents of relocation sites. In addition to treatment of sickness and injury, LICADHO's medical team provided vaccinations against tetanus, tuberculosis, diphtheria, polio, whooping cough and measles to 422 children and 35 adult females in two relocation sites (Andong and Anchanh villages). In 2014, the Medical Project will expand its preventive work in relocation sites to include health and nutrition education.

12

Imprisoned human rights defenders and their relatives who received food and other material assistance from LICADHO's social workers. By the end of 2013, eight of the HRDs were released, while four remain in prison and continue to receive assistance from LICADHO.

442

Children and women in relocation camps who received vaccinations against tetanus, tuberculosis, diphtheria, polio, whooping cough and measles from LICADHO's medical team.

10,162

Medical consultations conducted with victims of land grabbing by LICADHO's medical team.



Villagers in Oddar Meanchey receive material assistance from LICADHO's Social Work Project after their eviction on March 19, 2013.

# ADVOCATING FOR A BETTER CAMBODIA



The Messenger Band, a garment worker female band, rally the crowd with songs in the traditional Cambodian folk style in Phnom Penh, October 21, 2013.

## Speaking Out at Home and Abroad

For more than 20 years LICADHO has worked to secure greater respect for the human rights of the country's people. Its work is well-known nationally and internationally and is respected and relied upon by a wide audience. Strong advocacy work is at the heart of what LICADHO does.

LICADHO uses a range of advocacy methods, from the production of written and audiovisual materials to maintenance of direct contact with those in positions of influence. Common to all this work is the accuracy and clarity of the information transmitted. This is a result of the work of LICADHO's monitoring staff, who investigate human rights abuses and maintain a regular presence at protests and public human rights celebrations; and of the Documentation Resource Office (DRO), which maintains the LICADHO database, website and social media presence and produces video, audio and written advocacy materials.

### INTERNATIONAL ADVOCACY

As part of its ongoing advocacy work on human rights violations linked to sugar concessions, LICADHO conducted several lobbying trips and meetings during 2013. In February, representatives from LICADHO went to Brussels and Bonn to meet with Members of the European Parliament (MEPs), officials from the European Commission, and German government representatives. In March 2013 LICADHO visited a sugar concession in Kampong Speu province with a delegation of the Directorate General for Trade of the European Commission. The goal of these meetings was to lobby for an investigation into human rights abuses linked to economic land concessions, particularly for sugar, under the EU's Generalized System of Preferences (GSP) regulation.

One LICADHO staff member travelled to Washington, D.C. in April to attend the 2013 World Bank Conference on Land and Poverty, to lobby members of the US government on Cambodian human rights issues, and to meet with partner NGOs. LICADHO met US President Barack Obama's senior advisor on Southeast Asian affairs and key staff within the State Department, amongst others.

In September and October, LICADHO staff accompanied two Cambodian land

### Advocacy Events

From January to December 2013, LICADHO, in cooperation with other NGOs, communities, and informal groups and networks, participated in a number of events:

- LICADHO organized a celebration of International Women's Day on March 8 in 15 prisons; this included distribution of food, drinks, and organization of entertainment for detainees.
- On May 1, between 6,000 and 7,000 garment workers, union leaders, local communities, motodops, students, NGOs and others gathered in Phnom Penh to mark International Labor Day. The group marched from Freedom Park to the National Assembly in Phnom Penh, calling for living wages, improved working conditions and for justice in the Born Samnang/Sok Sam Oeun and Chhouk Bandith cases.
- LICADHO organized a celebration of International Children's Day in 14 prisons, which at the time housed 15 pregnant women and 58 children living in prison with their mothers.
- Impunity remains an important theme for LICADHO. On November 23, LICADHO marked the third International Day to End Impunity by holding an evening vigil for journalists who have

*Continued next page*

activists and three unionists to the UN in Geneva to attend the Human Rights Council and the Committee on the Elimination of all Forms of Discrimination Against Women (CEDAW) (see Promoting Grassroots Empowerment Section).

In December 2013, LICADHO was invited to present on Cambodian land issues at the 15th Annual EU-NGO Forum on Human Rights, an event attended by representatives of global civil society, EU institutions, EU Member States and international organizations. As the theme of the forum was accountability, LICADHO used the well-attended event to highlight the negative impact of the Everything But Arms trade policy on rural Cambodian communities and to emphasize how EU institutions and EU Member States could play a constructive role in securing appropriate remedies for affected communities.

### LICADHO'S ONLINE PRESENCE

2013 saw unprecedented growth in LICADHO's online audience. During the year, the LICADHO website had a total of 84,531 unique visitors with an average of 7,044 unique visitors per month. This is an increase of over 27% on 2012's total. Over the same period the number of LICADHO's followers has quadrupled on both Facebook and Twitter.

As well as these statistical achievements, several other important milestones were reached in 2013: all newly published material on LICADHO's website is now available in both English and Khmer as are all postings on social media; the website is now mobile-friendly which will significantly increase LICADHO's reach given that mobile is the primary means of accessing the internet in Cambodia; and for the first time Cambodia came top of the list of countries viewing LICADHO's website.

LICADHO's audio-visual material was extremely popular in 2013. During the year LICADHO/LICADHO Canada produced eight new videos. The LICADHO/LICADHO Canada YouTube channel received 474,089 views, almost half the total number of 955,659 views since the creation of the channel six years ago. LICADHO now also publishes its videos directly on Facebook, so the total number of people viewing LICADHO videos is certainly considerably higher than the total views on LICADHO's YouTube channel.

In 2013, the most popular new video on LICADHO's YouTube channel was **Cambodian Gangnam Style: Dancing to End Evictions** which received 20,306 views. On Facebook, the video of the **fatal November clashes between SL garment factory**

*Continued*

lost their lives in Cambodia and whose families have received no justice. On the same day LICADHO published a **briefing** on fatal shootings, carried out by the police or military, that took place in 2012-2013, and for which there has been no credible investigation or prosecution.

- On November 27, to mark the 16 Days of Activism Against Gender Violence campaign, LICADHO supported its partners in unions, land communities and other grassroots groups to organize a march with the theme of **"ending violence against women everywhere"**. The march drew attention not only to the problem of violence within the home and family but also to the violence frequently perpetrated in the public sphere by government forces against female activists claiming their rights. They called for such violence to stop and for proper investigations to be carried out into past incidents of violence. The marchers carried banners showing photos of themselves being beaten and manhandled at recent protests and delivered petitions to the Ministry of Women's Affairs and the national police headquarters.

- International Human Rights Day December 10 (see Promoting Grassroots Empowerment Section).



A candlelight vigil on November 21, 2013, marks the International Day to End Impunity.

**workers and armed forces** was the most popular receiving over 11,000 views.

During the year, LICADHO produced 45 audio clips in Khmer adding up to over 310 minutes of audio material. The clips are mostly audio versions of LICADHO's media statements and are provided in mp3 format to make them easy to download and share.

## LIVESTREAM

In 2013, LICADHO experimented with a new way to bring instant and accurate information about human rights events to the public. LICADHO Livestream is a live information streaming platform that allows us to quickly disseminate information about events witnessed by LICADHO's monitoring team and also to provide explanation and context for those events as they unfold. In the final quarter of 2013, LICADHO produced **three Livestreams** covering the CNRP three-day protest in October, the trial of land activist and human rights defender Yorm Bopha in November, and International Human Rights Day celebrations in December.

Livestream proved extremely popular; information shared on Livestream was reproduced by many newspapers and LICADHO received excellent feedback from journalists and the international community. The first Livestream was produced in English only but the second and third were produced simultaneously in English and Khmer with some content targeted for each audience. LICADHO will continue to produce Livestreams in both languages.

Livestream is one of a number of LICADHO innovations indicating the organization's renewed emphasis on ICT. These mark the start of two multi-year projects aimed at improving work safety and advocacy.

## DATABASE

In 2013 the DRO team inserted 1,188 new cases into LICADHO's central database, bringing the total number of case files to 10,164.

The database of perpetrators is continually being updated and numerous upgrades to maintain efficiency and effectiveness were made. The database compiles statistics, allows for the identification of trends, and helps in the overall analysis of cases involving human rights violations. Monitors who want to identify repeat offenders can now use the more comprehensive database listing; case information from past offences can then be used as evidence against perpetrators who are taken to court.

## During the reporting period, LICADHO also published:

- Report: **In Absentia 2013: An Update on Inmate Transportation and the Right to Appeal**
- Report: **Children Behind Bars: Growing Up in a Cambodian Prison**
- Report: **Human Rights 2012: The Year in Review**
- Briefing Paper: **Turned Away: Fraud, Irregularities, and Intimidation during the 2013 National Assembly Elections**

## Publication: An Overview

From January to December 2013, DRO produced and published:

- 6 advocacy videos
- 27 media statements
- 14 news/flash news updates
- 2 briefing papers
- 7 photo albums
- 4 report
- 2 open letters
- 1 document
- 27 audio news podcasts in Khmer

LICADHO also distributed a total of 1,664 reports, 1,009 in Khmer, and 655 in English, and a total of 315 CD/DVDs in English/Khmer.

# PROMOTING GRASSROOTS EMPOWERMENT



On National Road 6, monks and citizens marched for 10 days to celebrate International Human Rights day. Five groups marched down five National Roads to convene in Phnom Penh on December 10, 2013.

## Marching to a Brighter Future

In response to a surge in land grabbing and other human rights abuses, Cambodians have become increasingly organized and vocal in demanding their rights. Unfortunately, pursuing a legal complaint is rarely successful; the perpetrators of land grabs and human rights violations are often well-connected and operate with impunity. For most Cambodians, the only options are community organizing and public protest – but these carry significant risks. Community leaders may be arrested, intimidated, assaulted and even killed.

LICADHO provides legal assistance, monitoring, protection and capacity building services to unions, grassroots groups and affected communities who are attempting to claim their rights.

### SUPPORTING PEACEFUL PUBLIC PROTESTS

In 2013 LICADHO provided regular support to partners exercising their rights to freedom of expression and assembly. Below is a list of events for which LICADHO provided material resources and medical and monitoring support.

- On May 1, between 6,000 and 7,000 garment workers, union leaders, local communities, motodops, students, NGOs and others gathered in Phnom Penh to mark International Labor Day. They marched from Freedom Park to the National Assembly where they listened to speeches and presented petitions to the government.

- The Cambodian Grassroots People's Assembly (CGPA) is a coalition of activists drawn from across civil society, representing a wide range of issues. In June 2013, just before the start of the election campaign, the CGPA organized three gatherings across the country at which politicians from the major political parties could listen to their constituents' main concerns, thus promoting a dialogue between the candidates and voters.

“I was very happy about my trip. I was able to tell my community that I delivered our message to the rest of the world and that they support us. Now, we will continue our work to protect the forest because the forest is our life.”

Mom Sakin  
Land Activist in Kratie province

- On June 11-12, 2013, the Cambodia People’s Network (CPN) organized a campaign in Phnom Penh to demand justice for human rights defenders and activists who have been intimidated or accused by Cambodian courts over the past 10 years. On June 12, about 800 people held a demonstration in Freedom Park and marched to the Ministry of Justice and the National Assembly. The participants submitted a petition to the Ministry of Justice, the Cabinet and the Supreme Council of Magistracy.

- On June 7, 2013, around 600 Cambodian farmers gathered in front of the Ministry of Agriculture in Phnom Penh to protest against the Draft Law on the Management and Use of Agricultural Land. If enacted, the law could be used to facilitate land-grabbing on an unprecedented scale. The farmers submitted a petition to the Ministry asking for the revision of some of the law’s provisions.

### INTERNATIONAL HUMAN RIGHTS DAY

This year, International Human Rights Day was the occasion of an impressive mobilization of Cambodian civil society. Hundreds of monks, associations, networks, federations, unions and NGOs, as well as Cambodian citizens, joined a **10-day march for peace**. Starting on December 1 they walked on five different national roads, through rural Cambodia, towards Phnom Penh.

More than a hundred permanent marchers joined the event across various provinces under the theme of “Justice Brings Peace”. Along the way, as well as advocating for human rights, the participants engaged in teachings on Buddhism and human rights, question-and-answer sessions about human rights, quizzes and readings of poems.

On December 10, the monks and civil society marchers converged in front of the National Assembly in Phnom Penh and delivered hand-written petitions that had been collected during the previous nine days. They also chanted peace and justice songs and shared their experiences from the march.

The march was organized by the Friends of December 10th, an informal group of human rights defenders. The event demonstrated the growth over recent years of mutual support and solidarity between disparate groups. Together the Friends of December 10th set up a secretariat, information/media committee, monitoring/security committee, medical team, and fundraising/finance committee.

LICADHO is a member of the Friends of December 10th and was involved throughout the planning process, contributing administrative resources and providing meeting rooms. During the march LICADHO sent monitors and medical staff to all five roads on every day of the event. This proved crucial to the event’s success as many marchers suffered from minor illnesses and injuries. In some places the marchers were met with hostility by authorities and local monks. LICADHO’s monitors and medical staff ensured the marchers stayed healthy and safe throughout, and were able to participate in the concluding events on December 10.

## Mom Sakin, Human Rights Defender and International Campaigner

Sakin is a farmer from Snoul district in Kratie province. Since 1997, when the forests in Snoul district first came under threat from illegal logging, she has been a vigorous campaigner for natural resource protection and land rights. Motivated by a strong sense of social justice to protect the rights and livelihoods of her fellow farmers, Sakin mobilized her neighbors to create a network of local land activists that now numbers over 200 people. The group works by patrolling the forest, reporting illegal logging activities to the forest administration, and confiscating chainsaws and tractors. In September 2013, Sakin travelled to Geneva to attend the Human Rights Council and share her experiences as a human rights defender.



The crowd in front of the National Assembly read complaints and petitions submitted by rural communities on golden bodhi trees for IHRD 2013.

## INTRODUCING LICADHO PARTNERS TO INTERNATIONAL LOBBYING

In 2013, LICADHO took its grassroots empowerment program into the international arena. In September and October, LICADHO staff accompanied one land activist, one farmer activist and three union leaders to the UN in Geneva. The group attended the 24th session of the Human Rights Council, at which the Special Rapporteur on Human Rights in Cambodia delivered his annual report, and the 56th session of the Committee on the Elimination of Discrimination against Women, which reviewed Cambodia's 4th and 5th reports on the country's compliance with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

As well as attending these sessions the group had meetings with the Deputy High Commissioner for Human Rights, international human rights NGOs, delegates from a number of UN member states, staff from Swiss and international unions, and representatives of the International Labor Organization. The trip allowed the delegation to share their experiences directly with international lobbyists and decision-makers and ensure that they were fully informed about the reality of the situation for human rights defenders in Cambodia. It also enabled the delegation to witness how the international community makes decisions affecting Cambodia and to learn techniques for international lobbying.



Six days in to the 10-day march to celebrate IHRD, local citizens offer water and food to the group walking from Kampong Thom as they are blessed by monks. The marches all inspired interest and generosity from the communities they passed.



