



**United States Congress
House Committee on Foreign Affairs
Subcommittee on Asia and the Pacific**

**Hearing of July 9, 2013:
Cambodia's Deepening Political and Social Crisis**

**Testimony of John Sifton
Asia Advocacy Director
Human Rights Watch**

Thank you for inviting me to testify today. Human rights groups, domestic and international, appreciate your committee's attention to Cambodia, an often-overlooked country, seen without geopolitical significance.

Cambodia at this moment in history stands on a precipice. Over 20 years after peace agreements signed in Paris to end Cambodia's civil war, over 30 years since mass crimes against humanity and genocide occurred, the country's civil and political situation remains highly problematic. While basic economic and health indicators have risen over these past decades, this has been in spite of, not because of, the Cambodian government, which is deeply corrupt and continues to prioritize budgeting for security forces over basic human services. Human rights, democracy, and the rule of law—promised to Cambodians in 1991 by the Paris agreements and signed by the United States and 17 other nations—remain elusive in Cambodia.

The problem is not one of habit or inertia. Rather, it is the result of particular political facts—a particular person and a particular party: Cambodia's ruler, Hun Sen, and his party, the Cambodian People's Party.

Mr. Chairman, you explained the issue succinctly in a hearing earlier this year, when questioning Assistant Secretary of State Joe Yun, when you said: "Hun Sen's party, the Cambodia People's Party, CPP, controls almost every aspect of governance and civil life in Cambodia, including the military and police forces." As you also noted: "Every single top military commander also sits on the CPP's central committee."

That is exactly right. Hun Sen, who has been in power since January 1985, has been allowed to consolidate his CPP-based rule so that he controls almost all levers of power. No decision of any significance is made without his or the party's assent.

And one of the results of this situation is that Cambodia's supposed democratic governance is not, in fact, democratic.

Given that Cambodia is set to hold elections less than 20 days from today, it is useful to provide a quick review of the last four elections, to explain the context and the reality of the upcoming one.

In 1993, in the first election after the Paris Peace Agreements, Hun Sen and his party actually lost. At this point in time, it should be noted, Hun Sen had already been Prime Minister for eight years, and the CPP had ruled for 14 years. Unwilling to accept the results of the U.N. administered elections, Hun Sen threatened to go to war with opponents to ensure his continued leadership. The international community, fearful of a resumption in hostilities less than two years after the Paris agreements and desperate to claim success in the post-conflict process, capitulated. At the barrel of a gun, Hun Sen became a "co-prime minister" of Cambodia and the CPP held on to control of the military and police.

In the run-up to the country's second elections in 1998, on March 30, 1997, opposition leader Sam Rainsy was the target of a grenade attack in a public park across the street from the National Assembly. Sixteen people were killed and 150 injured. Among the injured was a US citizen, so the FBI was involved in an investigation of the attack, and it should be noted that the FBI concluded that Hun Sen's bodyguard unit was implicated in it, a direct implication that Hun Sen himself had directed the attack.

The attacks by Hun Sen did not make the opposition falter, however. And having failed to cow his political opponents into submission, in July 1997 Hun Sen carried out a bloody coup against his co-prime minister, installing a pliant politician in his place and ensuring control of the electoral machinery for the 1998 elections. Senior leaders in the CPP opposed military action, but Hun Sen ignored them. His forces carried out a brutal wave of violence and summary executions that led to congressional hearings here in the United States, international condemnation, and a disruption of aid to Cambodia.

At the time, the situation was so dire—and Hun Sen's willingness to use force to remain in power so clear—that a senior State Department official visiting Cambodia on the eve of the elections asked one of my colleagues, rhetorically, why anyone even wanted the election to proceed, given that it would likely result in more violence and, even if the opposition won the vote, Hun Sen and the CPP would not relinquish power.

And that's exactly what happened. A lot of blood was spilled, people were killed, and images of bodies floating down the Mekong River were carried by media services around the world.

The election proceeded and, not surprisingly, Hun Sen and the CPP "won". When one member of the national election commission asked for the ballots from a large province to be produced for a recount, he was threatened with death and went into hiding. The opposition led massive street protests that paralyzed Phnom Penh and delayed formation of a new government for months. But in the end the United States and other countries pressured the opposition to vote in a new government with itself as a junior partner.

In 2003, and again in 2008, Hun Sen and the CPP again dominated the electoral process. Then as now, the CPP controlled appointments and membership of the National Election Commission, making it a deeply biased body. It controlled the courts that would ostensibly adjudicate election disputes.

This is how it was then – and this is how it is today. The CPP controls almost all state and private television and radio stations, ensuring a constant stream of pro-government propaganda and an equal stream of vitriol about the opposition. The CPP publicly tells communities that they will be rewarded if they vote for the party and penalized if they vote for the opposition through the withholding of state resources for things like schools, health clinics, and roads. Senior military and police officials openly campaign for the CPP in defiance of Cambodian law. With the country's long history of political violence, one can imagine what a poor villager in a remote area thinks when a general shows up and tells him or her who to vote for.

Neither the 2003 nor the 2008 election were considered by observers to be free and fair or to have met international standards. The CPP increased its dominance in both elections, soaring past the two-thirds majority needed in the National Assembly to amend the constitution.

Our latest assessment and that of other independent observers is that the same structural problems related to the election commission, courts, media, and use of state resources pervade the electoral process. The only good news to report is that the CPP has engaged in much less violence than in previous years. This appears to be because it believes that its control over the situation is so complete that violence is not necessary.

Indeed, unlike in the last election, the leader of the opposition, Sam Rainsy, is not able to campaign since he is living in exile, convicted in absentia in a politically motivated case. And he is not on the ballot as a candidate. Moreover, the small slate of standing opposition candidates currently in parliament were kicked out of Cambodia's parliament last month for spurious and politically motivated reasons; rendering the opposition's powerlessness complete.

The United States has told Hun Sen and his colleagues that an election with the leader of the opposition in exile, and with its small opposition bloc in parliament dispersed, calls into question the legitimacy of the election – and indeed it does.

A simple test for any observer who has had the good fortune of living in a democratic country is this: would you accept an election as “free and fair” or “credible,” or whatever euphemism is used, given the facts above?

Human Rights Watch does not accept the premise that an election like this is “good enough” for Cambodians.

What will occur on July 28, and what is occurring beforehand, is a deeply illegitimate enterprise, aimed at appeasing an international community that is all too often willing to play along with Hun Sen's theatrics for whatever diverse or trivial reasons.

The main question for the United States now is not what the administration can do or demand in the next 19 days before the election, but what the United States will say and do after the election.

Will the United States again condone this charade?

Again, Hun Sen has been in power since 1985—over 10,000 days as Cambodia's head of government. He is among the top five longest ruling world leaders, and Asia's longest serving strongman. He has endured since 1985 seven US ambassadors and five US presidents. He has said he wants to be in power for many more years.

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Human Rights Watch believes it is time for a stronger U.S. policy on Cambodia.

Human Rights Watch believes the United States can still do a great deal to improve the situation there.

The United States can increase its empowerment to groups in Cambodia who serve as a check on Hun Sen's unaccountable power.

The United States can stand more visibly with dissidents and activists who seek to expose government abuses.

And the United States can disassociate itself from Hun Sen, who regularly showcases his supposed friendship with the US government as a way of belittling and intimidating political opponents. It should be noted that Hun Sen uses photographs of himself with President Obama, taken during the President's trip to Phnom Penh last November, in campaign materials and other promotional material for the CPP.

Another smart policy initiative is for the United States to cut its support to the Cambodian military, which serves no important strategic purpose of the United States and merely gives the Cambodian military – which is utterly a creature of the CPP – further undeserved legitimacy.

But most important of all is for the US to take the lead in working with the European Union, Japan, and even ASEAN governments to make it clear that the days of the strongman are over, that one-man and one-party rule are not acceptable in the 21st century, that massive corruption that takes resources from the poor to benefit the regime will be met with a strong policy response by bilateral and multilateral donors, and that the lack of rule of law and human rights will continue to retard meaningful progress in Cambodia.

This will only happen with consistent and high level engagement by senior US officials—US officials who keep the pressure on Hun Sen and the CPP and avoid sending the kind of mixed messages we've seen so often over the past 20 years.

The Obama administration missed an important opportunity in November last year, during the East Asia Summit, held in Cambodia. As we said at the time, President Obama should have made a strong public statement while in Phnom Penh about human rights and democracy. That he and his team missed that opportunity was disappointing not only to us but to many human rights and civil society groups in Cambodia.

After July 28, however, the Obama administration can start to make amends by speaking out loudly about the democratic deficit in Cambodia, and encouraging other world leaders to do so too. We are hopeful that Secretary Kerry too, with his long experience in

Cambodia and personal relationship with Hun Sen, will speak clearly and unequivocally about the need for change in Cambodia.

There is an increasing realization in the U.S. government that it's time to stop letting Hun Sen get a pass; that it's time for the United States to change its policies and begin an approach more like what we have discussed here today.

Human Rights Watch hopes that this hearing, and this committee's continued interest in Cambodia's future, can serve as an incentive for the U.S. government to do so.

Thank you.