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# CONGRESSIONAL TESTIMONY

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## “Cambodia’s Descent: Policies to Support Democracy and Human Rights”

### Cambodia: A Democracy in Peril

#### Testimony before the Subcommittee on Asia and the Pacific in the Committee on Foreign Affairs

United States House of Representatives

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My name is Olivia Enos. I am a policy analyst in the Asian Studies Center at The Heritage Foundation. The views I express in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

Cambodia’s democracy is in peril. On September 2nd, President of the opposition Cambodian National Rescue Party (CNRP), Kem Sokha, was taken from his home, arrested, and indefinitely imprisoned on trumped up charges of treason.<sup>1</sup> Kem Sokha’s arrest triggered a downward spiral. Just a month later on October 6th, the Cambodian Interior Ministry filed a lawsuit to dissolve the opposition party, claiming that the opposition colluded with the U.S. government to overthrow the current Cambodian leadership.<sup>2</sup> The CNRP was official dissolved by the Cambodian Supreme Court on November 16th.<sup>3</sup>

In just three months time, the leader of the ruling Cambodian People’s Party (CPP), Hun Sen, has completely demobilized the CNRP—effectively crippling the only viable opposition to Hun Sen’s 32-

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<sup>1</sup>Olivia Enos, “Kem Sokha’s Arrest Yet Another Sign of Serious Backslides in Cambodian Democracy,” *Forbes*, September 14, 2017, <https://www.forbes.com/sites/oliviaenos/2017/09/14/kem-sokhas-arrest-yet-another-sign-of-serious-backslides-in-cambodian-democracy/#4cc5c7c5323c> (accessed December 7, 2017).

<sup>2</sup>Prak Chan Thul, “Cambodian Government Files Lawsuit to Dissolve Main Opposition Party,” Reuters, October 6, 2017, <https://www.reuters.com/article/us-cambodia-politics/cambodian-government-files-lawsuit-to-dissolve-main-opposition-party-idUSKBN1CB0U1> (accessed December 7, 2017).

<sup>3</sup>Julia Wallace, “Cambodia’s Top Court Dissolves Main Opposition Party,” *The New York Times*, November 16, 2017, <https://www.nytimes.com/2017/11/16/world/asia/cambodia-court-opposition.html> (accessed December 7, 2017).

year reign ahead of the expected July 2018 elections. Since Kem Sokha's arrest, at least 100 CNRP parliamentarians and political leaders fled Cambodia. Shortly after Kem Sokha's arrest, Hun Sen proclaimed that he will rule for another 10 years.<sup>4</sup>

The crackdown on civil society is severe. In the months prior to Kem Sokha's arrest, there were already signs that Hun Sen and his cadres were attempting to silence alternative voices. After the release of a CNN documentary on sex trafficking in Cambodia in July, the Cambodian government targeted Agape International Missions (AIM), an anti-trafficking nongovernmental organization (NGO) featured in the documentary for its work fighting sex trafficking in Cambodia.<sup>5</sup> Hun Sen's decision to shut down AIM is reflective of a growing trend toward authoritarianism in Cambodia and should be viewed as a broader attempt at silencing civil society.<sup>6</sup> Around the same time, the Cambodian government issued a letter ordering election-monitoring NGO's to cease their activities.<sup>7</sup> This action was followed up with the expulsion of the National Democratic Institute (NDI) and all foreign staff members whom the Cambodian government accused of tax evasion and colluding with the opposition to overthrow the ruling party.<sup>8</sup> This is in spite of the fact that NDI worked with both the CNRP and the CPP to provide political party training and other forms of democracy assistance.<sup>9</sup> The Cambodia Daily, the main English language newspaper in Cambodia, was shut down due to allegations of tax evasion levied by the Cambodian government.<sup>10</sup> Radio stations are under threat, too, with Radio Free Asia forced to suspend its in-country operations.<sup>11</sup> This is nothing short of an onslaught against free speech and freedom of the press. It is a clear attempt to silence opposing voices and limit transparency ahead of 2018 elections.

Hun Sen is taking a page out of the 2013 elections playbook. In the lead-up to the 2013 elections, former opposition leader Sam Rainsy was in self-imposed exile due to baseless charges leveled against

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<sup>4</sup>The Editorial Board, "Cambodia's Democracy Betrayed," *The New York Times*, September 11, 2017, <https://www.nytimes.com/2017/09/11/opinion/cambodia-democracy-hun-sen.html> (accessed December 7, 2017).

<sup>5</sup>Alexandra Field, Dan Tham, and Mark Tutton, "Life after trafficking: The Girls Sold for Sex by Their Mothers," CNN, September 6, 2017, <http://www.cnn.com/2017/07/24/asia/return-to-cambodia-sex-trafficking/index.html> (accessed December 7, 2017).

<sup>6</sup>Olivia Enos, "Recent Removal of Anti-Trafficking Organization Bad Sign for Civil Society in Cambodia," Providence, August 4, 2017, <https://providencemag.com/2017/08/recent-removal-anti-trafficking-organization-bad-sign-civil-society-cambodia-agape-international-missions/> (accessed December 7, 2017).

<sup>7</sup>Human Rights Watch, "Cambodia: Revoke Ban on Election Monitors", July 9, 2017, <https://www.hrw.org/news/2017/07/09/cambodia-revoke-ban-election-monitors> (accessed October 13, 2017).

<sup>8</sup>Ananth Baliga, "Breaking: NDI to Be Shuttered, Foreign Staff Expelled," *The Phnom Penh Post*, August 23, 2017, <http://www.phnompenhpost.com/national/breaking-ndi-be-shuttered-foreign-staff-expelled> (accessed December 7, 2017), and Hannah Beech, "Cambodia Orders Expulsion of Foreign Staff Members With American Nonprofit," *The New York Times*, August 23, 2017, <https://www.nytimes.com/2017/08/23/world/asia/cambodia-us-ngo-hun-sen-nonprofit-crackdown.html> (accessed December 7, 2017).

<sup>9</sup>NDI, "Statement on Cambodian Government's Decision to Shut Down NDI's Office in Cambodia," August 23, 2017, <https://www.ndi.org/publications/statement-cambodian-government%E2%80%99s-decision-shut-down-ndis-office-cambodia> (accessed December 7, 2017).

<sup>10</sup>Thomas Beller, "The Devastating Shutdown of the Cambodia Daily," *The New Yorker*, September 12, 2017, <https://www.newyorker.com/news/news-desk/the-devastating-shutdown-of-the-cambodia-daily> (accessed December 7, 2017).

<sup>11</sup>BBG, "Statement from Radio Free Asia's President on Cambodia," September 12, 2017, <https://www.bbg.gov/2017/09/12/statement-radio-free-asias-president-cambodia/> (accessed December 7, 2017).

him by the Cambodian government.<sup>12</sup> In the final hour, he was permitted to return to Cambodia, but just late enough that he could not run as the main opposition presidential candidate.<sup>13</sup> This did not stop the opposition from garnering 55 of the 123 seats in the assembly, leaving the ruling party with 68 seats.<sup>14</sup> This modest electoral victory was too slim for Hun Sen and too close to an electoral victory for the opposition for comfort. This was in spite of the fact that Hun Sen kept journalists on a tight leash, instituted restrictions on local radio stations, banned foreign broadcasting, and limited the capabilities of Radio Free Asia and Voice of America, and has long controlled many television stations.<sup>15</sup>

While the 2013 election was mostly free of violence,<sup>16</sup> it is questionable whether it met the standard of “free and fair.” An estimated 20,000 national and international observers were present throughout the elections, including U.S.-based organizations, Transparency International, and the International Republican Institute.<sup>17</sup> Many of them expressed concern about the process and accuracy of the outcome. Some observers claim that as many as 10,000 voting irregularities occurred during the 2013 elections.<sup>18</sup> Major issues include an estimated 10 percent of the population who were unable to find their names on the voting registry, indelible ink easily removed from fingers after voting, and an unusually large number of temporary voting cards distributed in the weeks and months leading up to the elections.<sup>19</sup> The Committee for Free and Fair Election in Cambodia (COMFREL) noted that not only were election irregularities significantly higher than during the last assembly elections in 2008, but COMFREL was particularly concerned with the number of temporary voting cards issued. According to COMFREL’s records, 1 million people received temporary voting cards for the 2012 commune elections and an additional 700,000 people received them for the 2013 elections.<sup>20</sup> Such

<sup>12</sup>Prak Chan Thul, “Cambodian Opposition Leader Rainsy Pardoned Ahead of Election,” Reuters, July 12, 2013, <https://www.reuters.com/article/us-cambodia-election-rainsy/cambodian-opposition-leader-rainsy-pardoned-ahead-of-election-idUSBRE96B0BX20130712> (accessed December 7, 2017).

<sup>13</sup>RFA, “Sam Rainsy Claims His Party Won Enough Seats to Form Government,” July 30, 2013, <http://www.rfa.org/english/news/cambodia/election-07302013190248.html> (accessed December 7, 2017).

<sup>14</sup>Walter Lohman and Olivia Enos, “Promoting True Democratic Transition in Cambodia,” Heritage Foundation *Background* No. 2898, March 31, 2014, <http://www.heritage.org/asia/report/promoting-true-democratic-transition-cambodia>.

<sup>15</sup>Reporters Without Borders, “Local Media Still Censored in Run-up to General Elections,” July 26, 2013, <http://en.rsf.org/cambodia-local-media-still-censored-in-run-26-07-2013,44982.html> (accessed December 7, 2017); news release, “Cambodia: Respect Freedom of Expression as Elections Approach,” Freedom House, July 21, 2013, <http://www.freedomhouse.org/sites/default/files/Cambodia%20-%20Joint%20Public%20Statement%20-%20Freedom%20of%20Expression%20-%207%20-%2021-%202013.pdf> (accessed December 7, 2017); and Associated Press, “Cambodia Reverses Ban on Foreign Radio Programs,” June 30, 2013, <http://www.cbc.ca/news/world/cambodia-reverses-ban-on-foreign-radio-programs-1.1385916> (accessed December 7, 2017).

<sup>16</sup>“Cambodian Forces Clash with Opposition Amid Post-Election Deadlock; 1 Dead, 7 Wounded,” *The Washington Post*, September 14, 2014, [http://www.washingtonpost.com/world/asia\\_pacific/cambodia-opposition-pressure-government-with-new-rally-amid-post-election-deadlock/2013/09/14/93da1428-1db2-11e3-80ac-96205cacb45a\\_story.html](http://www.washingtonpost.com/world/asia_pacific/cambodia-opposition-pressure-government-with-new-rally-amid-post-election-deadlock/2013/09/14/93da1428-1db2-11e3-80ac-96205cacb45a_story.html) (accessed September 24, 2013).

<sup>17</sup>International Republican Institute, “Cambodia Pre-Election Watch,” July 28, 2013.

<sup>18</sup>Kuch Naren, “Election Was Not Free or Fair, Coalition of 21 NGOs Says,” *The Cambodia Daily*, September 7, 2013, <http://www.cambodiadaily.com/elections/election-was-not-free-or-fair-coalition-of-21-ngos-says-41839/> (accessed December 7, 2017).

<sup>19</sup>Transparency International, “Final Election Observation Report on Cambodia’s 2013 National Election,” September 2013, [http://ticambodia.org/library/wp-content/files\\_mf/1438020883TICsReporton2013NationalElection.pdf](http://ticambodia.org/library/wp-content/files_mf/1438020883TICsReporton2013NationalElection.pdf) (accessed December 7, 2017).

<sup>20</sup>Colin Meyn, “Comfrel Reports Spike in Election Irregularities,” *The Cambodia Daily*, August 16, 2013, <http://www.cambodiadaily.com/elections/comfrel-reports-spike-in-election-irregularities-39918/> (accessed December 7, 2017).

large numbers of people purportedly losing their permanent voter registration are implausible and call into question whether fraud took place.

In response to concerns about the legitimacy of the elections, the opposition carried out a series of largely peaceful protests, including an opposition boycott of the parliament, between July 2013 and July 2014. Protests and the boycott ended after the CPP offered a deal to the CNRP. It did not meet all of the previous stipulations outlined by the opposition, but the compromise prioritized reform to the National Election Committee (NEC)—presumably to make it a more objective adjudicator of future election results. Previously, all eleven NEC members were pro-CPP. Reforms required that nine members sit on the NEC: Four are CPP, four are CNRP, and one member will be a mutually agreed upon mediator.<sup>21</sup> The CPP also released seven recently arrested members of the opposition and cleaned up the nation’s voting records. While the Cambodian government followed through with NEC reform, the person who held the position as unbiased mediator—a representative of the Cambodian NGO community—was later jailed.<sup>22</sup>

Clearly, Hun Sen does not want to risk a potential opposition victory in 2018, which is why he has shut down the opposition long before it could become a viable threat to his three-decades-long grip on power. The Cambodian government’s decision to dissolve the opposition makes the impossibility of holding free and fair elections a foregone conclusion. The White House issued a statement reiterating this sentiment, saying, “On current course next year’s election will not be legitimate, free or fair.”<sup>23</sup>

The initial U.S. government response to Kem Sokha’s arrest was modest at best. The State Department issued a limited statement condemning the arrest of Kem Sokha and highlighting backsliding trends in democracy in Cambodia on September 3.<sup>24</sup> The U.S. Embassy in Phnom Penh made a more forward-leaning statement similarly condemning Kem Sokha’s arrest on September 12.<sup>25</sup> The embassy’s statement focused principally on countering the accusation by the Cambodian government that Kem Sokha colluded with the U.S. government to undermine the government of Cambodia. During President Trump’s visit to Asia, Deputy Assistant to the President and Senior Director for Asian Affairs Matt Pottinger and Deputy Assistant Secretary of State for Southeast Asia W. Patrick Murphy, in their meeting with Cambodian Foreign Minister Prak Sokhonn on November 14th, expressed concerns regarding backslides in democracy and highlighted the detention of Kem Sokha.<sup>26</sup>

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<sup>21</sup>Olivia Enos, “Cambodia: Deal Doesn’t End Need to Remain Vigilant,” The Daily Signal, July 24, 2014, <http://dailysignal.com/2014/07/24/cambodia-deal-doesnt-end-need-remain-vigilant/> (accessed December 7, 2017).

<sup>22</sup>Human Rights Watch, “Cambodia: Free ‘ADHOC Five’ Rights Defenders,” December 1, 2016, <https://www.hrw.org/news/2016/12/01/cambodia-free-adhoc-five-rights-defenders> (accessed December 7, 2017).

<sup>23</sup>The White House, “Statement by the Press Secretary on Setbacks to Democracy in Cambodia,” November 16, 2017, <https://www.whitehouse.gov/the-press-office/2017/11/16/statement-press-secretary-setbacks-democracy-cambodia> (accessed December 7, 2017).

<sup>24</sup>News release, “Arrest of Cambodian Opposition Leader,” U.S. Department of State, September 3, 2017, <https://www.state.gov/r/pa/prs/ps/2017/09/273808.htm> (accessed December 7, 2017).

<sup>25</sup>U.S. Embassy in Cambodia, “Opening Statement by Ambassador William A. Heidt at a Press Availability,” September 12, 2017, <https://kh.usembassy.gov/opening-statement-ambassador-william-heidt-press-availability/> (accessed December 7, 2017).

<sup>26</sup>U.S. Mission to ASEAN, “Press Release, November 14, 2017,” November 14, 2017, <https://asean.usmission.gov/press-release-november-14-2017/> (accessed December 7, 2017).

After the dissolution of the CNRP just two days later, the White House issued a stronger statement saying, “It is becoming increasingly evident to the world that the Cambodian government’s restrictions on civil society, suppression of the press, and banning of more than 100 opposition leaders from political activities have significantly set back Cambodia’s democratic development and placed its economic growth and international standing at risk.”<sup>27</sup> In the statement, the U.S. announced its decision to cut funding for the Cambodian National Election Committee and its administration ahead of the 2018 election. In other words, the U.S. government pulled its support for next year’s elections. It also repeated calls to release Kem Sokha and to allow the CNRP to continue with its usual political activities. This was a positive step that communicated that there are repercussions to Hun Sen and his cronies if they continue to undermine democratic institutions in the country.

On December 6th, the State Department restricted travel for “individuals involved in undermining democracy in Cambodia.”<sup>28</sup> The statement accompanying the visa ban suggested that there might be additional follow-on actions if conditions worsen. It also communicated that the visa ban could be rolled back if conditions, such as recognizing the CNRP as the legitimate opposition and releasing Kem Sokha, are met. The Cambodian government has repeatedly communicated that it did not believe that the U.S. would institute sanctions or a visa ban, so this action, as well as future action should make clear that there will be no impunity for persons who erode democracy.

Congress has similarly taken positive steps to hold the Cambodian government to account. A resolution introduced by Senators John McCain (R–AZ), Dick Durbin (D–IL), and Marco Rubio (R–FL) passed the Senate on November 17th. The resolution affirmed U.S. commitment to a democratic Cambodia, reiterated the value of the Paris Peace Agreements (to which the U.S. is a signatory and agreed to hold Cambodia accountable for backslides in democracy and human rights), and condemned the uptick in cracking down on civil society, among other things.<sup>29</sup> The resolution also called for the release of Kem Sokha, electoral reform, and for Treasury to “consider placing all senior Cambodian government officials implicated in the abuses noted above on the Specially Designated Nationals List (SDN).”<sup>30</sup>

Congress is also currently reviewing the State, Foreign Operations, and Related Programs bill that sets appropriations for 2018 U.S. foreign assistance, including to Cambodia. At present, the House and Senate are reconciling their respective versions of the bill. The House version conditions 25 percent of international security assistance to Cambodia on the country’s willingness to “cease efforts to intimidate civil society and the political opposition in Cambodia” and its support for the

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<sup>27</sup>The White House, “Statement by the Press Secretary on Setbacks to Democracy in Cambodia,” November 16, 2017, <https://www.whitehouse.gov/the-press-office/2017/11/16/statement-press-secretary-setbacks-democracy-cambodia> (accessed December 7, 2017).

<sup>28</sup>U.S. Department of State, “Visa Restrictions on Individuals Responsible for Undermining Cambodian Democracy,” December 6, 2017, <https://www.state.gov/r/pa/prs/ps/2017/12/276288.htm#.Wig9ip5FpCE.twitter> (accessed December 7, 2017).

<sup>29</sup>U.S. Congress, “Reaffirming the Commitment of the United States to Promote Democracy, Human Rights, and the Rule of Law in Cambodia,” S. RES. 279, November 16, 2017, <https://www.congress.gov/115/bills/sres279/BILLS-115sres279ats.pdf> (accessed December 7, 2017).

<sup>30</sup>Ibid.



“conduct of free and fair elections,” among other conditions.<sup>31</sup> The Senate version of the bill conditions all assistance to the central government in the bill on Cambodia’s commitment to democracy. It also goes farther by including the “release of jailed opposition leaders and civil society activists” among the conditions and by imposing a visa ban on Cambodian officials known to undermine democracy in Cambodia.<sup>32</sup> If the bill passes, the law will send a clear signal to Hun Sen and his CPP party cadres that the U.S. is serious about its commitment to holding the Cambodian government to account for undermining democracy.

Cambodia’s 2013 elections were a turning point in its democratic development. It has become clear that public support for Hun Sen’s leadership has deteriorated to the point that it threatens his continued hold on office. Some attribute this shift in the electoral support to shifting demographics in Cambodia; as the younger generation comes of voting age, many were not alive during the genocide committed by the Khmer Rouge and are therefore less responsive to Hun Sen’s scare tactics.<sup>33</sup> The fact that the opposition nearly won the election made it a watershed moment.

Now, Cambodia is at yet another crossroads—but this one is far more sinister than the last.

The role of the U.S. in Cambodia has been and always will be to serve as an accountability partner that steers Cambodia back on the path toward political reform. After the Khmer Rouge terror and Vietnamese invasion, the international community oversaw a democratic transition in Cambodia.<sup>34</sup> To end the conflict and promote a free Cambodia, on October 23, 1991, the U.S. and 18 other international signatories to the Paris Peace Agreement assented to “promote and encourage respect for and observance of human rights and fundamental freedoms in Cambodia.”<sup>35</sup> The agreement also ensured the “the right to self-determination of the Cambodian people through free and fair elections.”<sup>36</sup> In this regard, signatories have a continuing obligation to assist Cambodia when the political process falters, as it so visibly is today.

Representative Alan Lowenthal (D–CA) aptly noted that it is not for the U.S. to decide who will be the electoral victor in Cambodia. The outcome of elections is most evidently for the Cambodian people to determine. The U.S., as a global purveyor of freedom and human rights worldwide, has a strong interest in seeing freedom restored in Cambodia.

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<sup>31</sup>Harold Rogers, “Making Appropriations for the Department of State, Foreign Operations, and Related Programs for the Fiscal Year Ending September 30, 2018, and for Other Purposes,” H.R. Report No. 115, p. 180, [https://appropriations.house.gov/uploadedfiles/fy18-sfops-sub\\_xml.pdf](https://appropriations.house.gov/uploadedfiles/fy18-sfops-sub_xml.pdf) (accessed December 7, 2017).

<sup>32</sup>Lindsey Graham, “Making Appropriations for the Department of State, Foreign Operations, and Related Programs for the Fiscal Year Ending September 30, 2018, and for Other Purposes,” S. 1780 Report No. 115-152, p. 224, <https://www.congress.gov/115/bills/s1780/BILLS-115s1780pcs.pdf> (accessed December 7, 2017).

<sup>33</sup>Lohman and Enos, “Promoting True Democratic Transition in Cambodia.”

<sup>34</sup>Asian Human Rights Commission, “Press Law,” [http://test.ahrchk.net/countries/cambodia/cambodian-laws/press\\_law/press](http://test.ahrchk.net/countries/cambodia/cambodian-laws/press_law/press) (accessed March 7, 2014).

<sup>35</sup>University of Notre Dame Kroc Institute for International Peace Studies, “Human Rights: Framework for a Comprehensive Political Settlement of the Cambodia Conflict,” <https://peaceaccords.nd.edu/provision/human-rights-framework-comprehensive-political-settlement-cambodia-conflict> (accessed December 7, 2017).

<sup>36</sup>United Nations Transitional Authority in Cambodia, “Agreements on a Comprehensive Political Settlement of the Cambodia Conflict,” 1991, [http://www.usip.org/sites/default/files/file/resources/collections/peace\\_agreements/agree\\_comppol\\_10\\_231991.pdf](http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/agree_comppol_10_231991.pdf) (accessed December 7, 2017).

The need for the U.S. to take action in the short-term is critical. The U.S. role in getting Cambodia back on the path toward democracy includes:

- **Sanctioning all individuals involved in undermining democracy in Cambodia under relevant Treasury Department authorities.** The State Department's recent decision to institute a visa ban against Cambodian officials undermining democracy was a positive first step that should be followed up by additional efforts to hold Hun Sen and the CPP financially responsible for their abuse of power. Raising the financial risk to engaging in such behavior has the potential to deter future actions that erode democracy. Potential mechanisms could include invoking Global Magnitsky authorities, which allow individuals to be targeted on both human rights and corruption grounds or placing individuals on the SDN list as was recommended by S. Res 279. Either way, Hun Sen and CPP members need to know that the U.S. will hold Cambodian individuals responsible for their role in undermining the political reform process.
- **Continuing to publicly and privately press for the release of Kem Sokha.** Hun Sen and the CPP have a history of targeting opposition leadership as a ploy to undermine free and fair elections. The U.S., along with other partners in Europe and elsewhere, should draw attention to threats to democracy in Cambodia. Calling for Kem Sokha's release is the easiest way to do that. In particular, statements from high-ranking officials, such as the Secretary of State or Deputy Secretary of State, may impact Hun Sen's decision-making calculus and would signal that the U.S. is watching the degenerating conditions in Cambodia closely.
- **Publicly endorsing the language of the State, Foreign Operations, and Related Programs bill by the Trump Administration—particularly the tougher Senate language—conditioning assistance to Cambodia.** It should especially support the provision that places broader-sweeping conditions on U.S. aid to Cambodia. The Administration should also endorse the language of S. Res 279 which calls for Cambodian officials to be placed on the SDN list.
- **Pressing the Hun Sen government to grant access to outside election monitors ahead of 2018 elections.** In spite of the U.S. government's recent decision to pull funding for the NEC and the 2018 elections, it is critical that election monitors be permitted to oversee the 2018 election to determine the extent of the damage to political and electoral institutions. It is equally critical to get a pulse on trends in the electorate and changes in public opinion ahead of the election. While the free and fair nature of the election is already a foregone conclusion if the Hun Sen government sticks to its guns and upholds the Cambodian Supreme Court's decision to dissolve the opposition, the functionality of other institutions should be monitored and evaluated. Election monitors, such as the National Democratic Institute, the International Republic Institute, and the National Endowment for Democracy, can monitor the election process even without government support. U.S.-led and internationally led election monitors should have access to Cambodia prior to, during, and after the 2018 election cycle.

Threats to democracy in Cambodia precede the most recent crisis and point to broader, systemic threats to freedom in Cambodia.

The U.S. should seek to craft a more comprehensive, long-term strategy by:

- **Forming a Cambodia Contact Group comprised of key signatories to the Paris Peace Agreement.** Signatories already have an obligation to hold Cambodia to account in order to

ensure that human rights are respected and that free and fair elections are held. Key signatories could include the Australia, France, Indonesia, Japan, the U.K., and the U.S. Japan, in particular, has a critical role to play, but has thus far not done much in response to recent events in Cambodia. The U.S. should, at a minimum, seek greater cooperation from Japanese counterparts. Given the severe deterioration in democracy in Cambodia, the group should re-assemble to provide accountability and develop plans to get Cambodia back on the path of political reform.

- **Pressing for the release of political prisoners in Cambodia.** As of June 2017, there were at least 20 individuals detained as political prisoners in Cambodia.<sup>37</sup> That number does not include Kem Sokha, who was detained last month, or other CNRP parliamentarians detained since the most recent crackdown. Deputy president of the CNRP, Mu Sochua, says that she felt her freedom was unprecedentedly compromised, which led her to flee the country.<sup>38</sup> Hun Sen continues to issue threats to opposition parliamentarians. In the coming months, the U.S. should watch closely to see if more individuals are taken as political prisoners.
- **Conducting a review of its democracy programming and economic assistance to Cambodia.** Given the lack of sufficient progress in many areas of Cambodia's democracy since 1993, the U.S. Agency for International Development should conduct a formal review of its democracy programming to identify deficiencies in current areas of focus and identify new areas and mechanisms for political development. As scholar Dr. Sophal Ear demonstrates in his 2012 book, *AID Dependence in Cambodia: How Foreign Assistance Undermines Democracy*, foreign assistance has weakened political accountability in Cambodia. Congress and the Administration should be prepared to make changes to Cambodia's aid packages in response to current conditions and the results of reviews of the programming.

It is in the U.S. interest for Cambodia to be free and prosperous. Silence in the face of deteriorating conditions in Cambodia may mean the end of political reform in Cambodia. The U.S. should take swift action to guide Cambodia back to a path of freedom and democracy.

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<sup>37</sup>Cambodia's Political Prisoners, "Political Prisoner Count: 20 (as of June 2017)," [https://www.licadho-cambodia.org/political\\_prisoners/](https://www.licadho-cambodia.org/political_prisoners/) (accessed December 7, 2017).

<sup>38</sup>Holly Robertson, "Cambodia, a Nominal Democracy, Lurches Toward Full-Blown Dictatorship," *Los Angeles Times*, October 10, 2017, <http://www.latimes.com/world/asia/la-fg-cambodia-dictatorship-2017-story.html> (accessed December 7, 2017).



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