

សម្ព័ន្ធខ្មែរជំរឿន
និងការពារសិទ្ធិមនុស្ស

លីកាដូ



LICADHO

CAMBODIAN LEAGUE FOR THE
PROMOTION AND DEFENSE OF
HUMAN RIGHTS



HUMAN RIGHTS 2012: THE YEAR IN REVIEW

A report issued in
February 2013



Human Rights 2012: The Year in Review

A report issued in February 2013

សម្ព័ន្ធខ្មែរជំរឿន និងការពារសិទ្ធិមនុស្ស លីកាដូ

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.

For More Information Contact:

Dr. Pung Chhiv Kek, President
LICADHO
#16, Street 99
Phnom Penh, Cambodia
Tel: (855) 23 727 102/216 602
Fax: (855) 23 727 102/217 626

E-mail: contact@licadho-cambodia.org

Web: www.licadho-cambodia.org Facebook: www.facebook.com/licadho Twitter: www.twitter.com/licadho

TABLE OF CONTENTS



A Message from
LICADHO's President

P1



Human Rights 2012
by the Numbers

P2

2,100,000 : Minimum number of hectares of land transferred via Cambodia's land concession program
12 : Minimum number of economic land concessions granted since the government announced a moratorium on May 2012²
96 : Number of countries and dependencies in the world that are smaller than the total area covered by Cambodia
400,000 : Minimum number of Cambodians affected by land concessions since 2001³

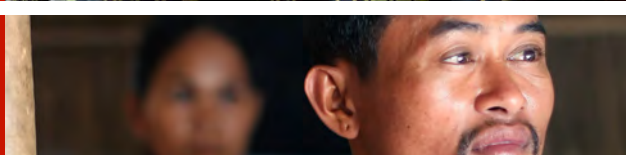
Human Rights:
2012 in Review

P3



Combatting Human
Trafficking

P14



Prison Monitoring
and Advocacy

P16



Human Rights
Monitoring

P18



Specialized
Legal Assistance

P20



Protecting Women
& Children

P23



Humanitarian
Assistance

P25



Promoting Grassroots
Empowerment

P27



Advocating for a
Better Cambodia

P29



A MESSAGE FROM LICADHO'S PRESIDENT

Human rights in Cambodia have suffered a series of devastating blows during 2012.

In April, we saw the killing of leading environmental activist Chut Wutty while he was investigating illegal logging in Koh Kong province with two Cambodia Daily journalists. Just weeks later, an innocent 14-year-old girl - Heng Chantha - was killed by government forces during an eviction in Kratie. And in September, a journalist investigating illegal logging was murdered in Ratanakiri.

Meanwhile, independent radio station owner Mam Sonando was sentenced to 20 years in prison on spurious charges. The land dispute at Boeung Kak took a troubling turn with the unwarranted conviction and imprisonment of 13 female community representatives in May; they were later released, but not until after they spent more than a month in prison. Four more Phnom Penh land activists were arrested between May and September, and one, Yorn Bopha, remains in prison as of the end of 2012.

In February, Chhouk Bandith - the district governor of Bavet district in Svay Rieng province - brazenly opened fire on thousands of protesting garment workers. Three were seriously injured, but charges against the now-former governor were dropped. Then, in a shocking year-end case, Born Samnang and Sok Sam Oeun, the two men who were scapegoated for the 2004 murder of unionist Chea Vichea were reconvicted by the Court of Appeal and returned to prison. They are widely believed to be innocent, and had been ordered freed by the Supreme Court in late 2008.

As we head into 2013, the stage is set for another tense year: At least 12 human rights defenders remain in prison, and perhaps most critically, National Assembly elections are set for July.

It was against this backdrop that LICADHO recently celebrated its 20th anniversary. This milestone was of course a joyous occasion, but it was also solemn: Many of the gains achieved by civil society in the past 20 years are being rapidly undone. It is clear that Cambodia still has an acute need for organizations like LICADHO. In fact, our work may now be more important than ever.

As bad as things were in 2012, it is likely that they would have been worse without organizations like LICADHO.

In the past year, LICADHO secured the release of imprisoned human rights defenders, provided food to thousands of Cambodians, influenced government policy, participated in multilevel campaigns on land and other key issues, furnished medical care to 7,401 prisoners and prison staff, assisted in locating and repatriating or resettling 179 victims of human trafficking, distributed thousands of kilos of rice, played a leading role in opposing the proposed NGO law, and much more.

Meanwhile, LICADHO continues to serve as a trusted



Dr. Pung Chhiv Kek, LICADHO President

source of on-the-ground information about human rights in Cambodia. LICADHO's reporting and advocacy is critical in helping to inform the decisions of a wide range of actors, from international NGOs to the Cambodian government, to donor governments.

This report attempts to summarize LICADHO's achievements over the past year, and provide an overview of Cambodia in 2012 from a human rights perspective. The diversity of LICADHO's work is due in part to the uniqueness of our programs, which blend development and aid with human rights monitoring and public advocacy. It also comes thanks to the dedication of LICADHO's staff and to support of the organization's funding partners.

LICADHO wishes to extend its thanks to all of those who have supported us throughout 2012, and to express our hope that these partnerships will continue for another 20 years.

A handwritten signature in blue ink, appearing to read 'Pung' with a flourish extending to the right.

HUMAN RIGHTS 2012 BY THE NUMBERS

2,100,000: Minimum number of hectares of land transferred via Cambodia's land concession programs since 1993¹

12: Minimum number of economic land concessions that have emerged since the government announced a moratorium on granting new concessions in May 2012²

96: Number of countries and dependencies in the world that are smaller than the total area covered by Cambodia's land concessions³

400,000: Minimum number of Cambodians affected by land concessions since 2003⁴

13: Number of female Boeung Kak Lake land rights activists who were convicted of "obstructing public officials" and "illegal occupation of land" after a demonstration on the site of some of their community members' former homes⁵

US \$2,000,000,000: Estimated value of the Boeung Kak site⁶

US \$79,000,000: Amount paid by Shukaku, Inc. – owned by a ruling party Senator – for a 99-year-lease over the land⁸

US \$8,500: Approximate compensation offered to most of the 4,200 families evicted at Boeung Kak⁷

2.5: Number of years in prison that the Boeung Kak 13 were sentenced to⁹

3: Number of garment workers seriously injured when then-district governor Chhouk Bandith opened fire on a labor demonstration in Svay Rieng province in February 2012¹⁰

0: Days Bandith has thus far spent in prison, despite admitting he fired his weapon during the strike¹¹

20: Total years imprisonment handed down to independent radio station owner Mam Sonando, who was convicted of masterminding a "secession" plot among impoverished farmers in Broma village, Kratie province, despite never having visited the area¹²

24: Number of hours after Sonando aired a report critical of the government's land policies that Cambodia's Prime Minister publicly called for Sonando's arrest¹³

2: Number of times Sonando has previously been arrested on politically-motivated charges¹⁴

1,000: Estimated number of armed military and police who raided Broma in May to forcefully evict its inhabitants¹⁵

15,000: Hectares of land in Kratie granted via a concession to the Casotim company; the company claims the villagers are living on part of the concession¹⁶

14: Age of a girl who was shot dead by government forces during the Broma raid¹⁷

0: Number of people arrested in the girl's death¹⁸

170%: Occupancy rate of Cambodia's prisons¹⁹

0.88: Square meters of living space per prisoner for some inmates at Takhmao prison, Cambodia's most overcrowded detention facility²⁰

41%: Growth in Cambodia's inmate population since 2007²¹

163%: Percentage increase in inmates detained on drug-related charges between Nov. 2010 and Nov. 2011²²

18: Minimum number of underage girls recruited and sent to Malaysia to work as domestic servants by Ung Rithy Group, Co., Ltd., during 2010 and 2011²³

1: Number of times that the company's owner, Ung Seang Rithy, ordered her staff to confiscate the equipment of a CNN news crew filming a story about Cambodia's domestic labor recruitment industry²⁴

2012: Year that Ung Seang Rithy was named head of the Association of Cambodian Recruitment Agencies (ACRA), the domestic labor recruitment industry's lead representative body²⁵

Citations on p. 12

HUMAN RIGHTS: 2012 IN REVIEW



Anti-riot police mobilize to prevent Boeung Kak community members from attending the appeal hearing of 13 imprisoned activists on June 27, 2012.

(All Photos by LICADHO unless noted)

Activism Takes a Dangerous Turn

The human rights situation in Cambodia began 2012 teetering on the edge of a precipice, and by the end of the year had fallen off the cliff.

The sheer volume of shocking turns makes it difficult to choose where to begin a summary of 2012: Independent radio station owner Mam Sonando was sentenced to 20 years in prison on politically-motivated charges. The country's most prominent environmental activist was shot dead in the forest while investigating illegal logging. A journalist working on logging issues was murdered in Ratanakiri province. A town governor opened fire on protesting garment workers and has yet to spend a day in prison. And 17 leaders from Phnom Penh communities facing eviction spent time in prison.

A one-month period alone in April and May saw 15 human rights defenders jailed, an activist monk detained and threatened, and three people shot dead by state forces. Meanwhile, a three-day period in December saw an NGO staff member summoned to court for questioning on charges related to his work, two land activists sentenced to prison time, and the unfathomable re-conviction of two men – widely acknowledged as scapegoats and already freed once by the Supreme Court – for allegedly murdering unionist Chea Vichea in 2004.

Between November 2011 and December 2012, there were at least nine incidents in which authorities opened fire on civilians, making 2012 the [most violent year ever documented](#) in terms of authorities' use of lethal force against activists.

LAND GRABBING: THE ROOTS OF STRIFE

The most important source of strife continued to be the unlawful seizure of land by state authorities, usually on behalf of well-connected business interests. A joint LICADHO [study](#) published in the Cambodia Daily in March found that more than 22 percent of Cambodia's total land mass has been granted to private

"This has been the most violent year ever documented ... in terms of the authorities using lethal force against activists."



Naly Pilorge
LICADHO Director
May 17, 2012

firms in the form of concessions. In Phnom Penh and the 12 provinces in which LICADHO works, land grabbing has affected an estimated 400,000 Cambodians since 2003, helping to create a sizable under class of landless villagers with no means for self-sustenance.

Just days into the new year, on January 3, authorities and hired workers **clashed** with residents of Phnom Penh's Borei Keila neighborhood as they demolished the homes of some 300 families. The houses were crushed before the residents had the chance to salvage their belongings. The process was overseen by over 100 mixed police forces, who fired tear gas and live ammunition at the residents. Eight community representatives, including a minor, were arrested and detained.

The company developing their land, Phanimex, had acquired the property as part of a novel "land sharing" deal, in which the firm signed a contract with the government agreeing to build apartment buildings onsite for the displaced residents. The firm **only completed eight of the 10 buildings**.

A week later, 30 Borei Keila residents – 24 women and six children – were arrested in front of Phnom Penh Municipality while calling for Phanimex to abide by its side of the agreement. The residents were **detained without charges** at the infamous government-run Prey Speu Social Affairs Center, a center that has repeatedly been used as a warehouse for "undesirables" that the government cannot criminally charge. All of the detainees eventually escaped or were released.

Meanwhile, residents in a Poipet village were the latest victims in a string of land disputes linked to Cambodia's railway rehabilitation project. On April 5, 22 families living along the railway tracks received an **eviction notice** from the local authorities. The order purported to give them 10 days to remove their structures from the vicinity of the tracks, but they received the notice only one day before the deadline. As of the date of this report, the residents remain.

Villagers in Preah Sihanouk province were also victims of a forced eviction in 2012. On May 26, 60 hectares of plantations and homes belonging to 15 families in Sangkat 1 Commune were destroyed by armed forces – reinforced by prisoners – led by Preah Sihanouk provincial prosecutor Bou Bunhang. The land was earmarked for the construction of a new prison. The evicted villagers were not provided compensation and at least one villager was seriously injured during the operation.

The government issued a **moratorium** on new land concessions in May, but by June, LICADHO **documented** the granting of at least 12 concessions, totaling more than 80,000 hectares. The government then clarified that the moratorium did not apply to concessions that were already "agreed in principle" – though there is no public list of such concessions. In other words, the moratorium contained a loophole so large that it swallowed the ban itself.

In response to increasing outcry over land conflict, the Prime Minister announced a new land titling scheme in June, involving the use of 1,600 student volunteers dressed in military uniforms. Over the second half of 2012, the volunteers **crisscrossed** the country to measure land and issue titles. While a push to expedite the issuance of land titles is laudable in theory, the program completely bypassed established state institutions set up explicitly to perform such duties. It is also being implemented in a secretive manner, with no provisions for independent monitoring. There have been numerous credible reports of affected land own-

LICADHO Profile

13

LICADHO offices nationwide

127

LICADHO staff nationwide (as of Dec. 2012)

2,332

Number of clients and visitors served by LICADHO offices nationwide during 2012

20

Years monitoring, promoting and defending human rights in Cambodia



Police arrest Borei Keila residents on Jan. 11, 2012, after they gathered in front of the Phnom Penh Municipality headquarters to protest their eviction. They were later sent to the Prey Speu Social Affairs Center, where they were detained without criminal charges.

ers being intimidated into accepting terms dictated by the volunteer students. As of the end of 2012, the land titling program continues to be implemented.

In September, LICADHO published an [interactive timeline map](#) which visualizes the granting of land concessions in Cambodia from 1993 to the present. The map received considerable attention from media and [others](#) in both [Cambodia](#) and abroad. LICADHO also used the launch of the map to publish [op-eds](#) in two major international media [outlets](#). The map is periodically updated.

USE OF FORCE AGAINST PEACEFUL PROTESTS

As the frequency of land grabs has grown, so has the sense of desperation for Cambodians faced with eviction. The perpetrators of land grabs – from business leaders to police to hired hands who carry out actual evictions – operate with near complete impunity. Recourse to the notoriously corrupt judiciary is not an option. For the average Cambodian, the only avenue that offers the prospect of success is civil disobedience, namely public protest and individual action.

The government has become increasingly aggressive in attempting to shut down this avenue as well, despite the fact the vast majority of citizen protests documented by LICADHO during 2012 have been peaceful. Violence is often the government’s tactic of choice.

On January 3, for example, a long-standing land dispute in Ratanakiri province between indigenous villagers in Ka Nat Thum and the Vietnamese Heng Brother Rubber Company ended with authorities [firing](#) on residents. On the day of the incident, the villagers had mobilized to halt the company from clearing the disputed land. After the local authorities announced that the company would suspend the land clearing, residents walked back towards their village. On their way, they passed a military police officer acting as guard for the rubber company. Thinking the villagers were staging a protest, the officer opened fire twice. The villagers reported the incident to the district governor, but no actions were taken to reprimand the violence.

Similarly, on January 18, military personal acting as security guards for TTY Co. Ltd [opened fire](#) on a group villagers who had gathered to prevent the clearing of their farmland in Kratie’s Snuol district. Four villagers were injured by bullets as the villagers were trying to stop the company’s bulldozers from destroying their cassava fields. None of the authorities present during the shooting proceeded

30

Borei Keila residents illegally arrested and detained at Prey Speu without charges

60

Hectares of land seized and cleared by authorities in Sihanoukville with the help of inmates from the local prison

300

Number of Borei Keila families violently evicted without due process or compensation in January 2012

2,106,343

Minimum hectares of Cambodian land given to private firms via land concessions



The body of 14-year-old Heng Chantha, who was killed by government forces during an eviction in Kratie on May 16, 2012.



Children demonstrate outside the Ministry of Justice on May 31, 2012, for the release of the Boeung Kak 13

to arrest the perpetrators. Four men – three security guards and a TTY’s general manager – were quietly tried in late December, and convicted of illegal use of firearms and intentional acts of violence with aggravating circumstances. Their sentences ranged from two to three years, though in each case the sentence was suspended between six months and a year.

In one of the most egregious incidents of reckless government violence, a 14-year-old girl was **shot dead** in Kratie Province’s Broma village on May 16 after hundreds of armed forces stormed her village. Two other villagers were injured. Authorities later sought to justify the excessive force by claiming that the operation was necessary to quell a plot by the villagers to secede from the state of Cambodia. While no one had heard of a secession taking place in the area prior to the lethal forced eviction, the villagers were involved in a well-publicized land dispute with the agri-business company Casotim. No one has been arrested for the killing as the authorities claim an investigation is not needed into this “accidental death.”

The escalating use of violence against citizens also resulted in a tragic loss for the environmental community in 2012. Chut Wutty, one of Cambodia’s most important environmental activists and director of the Natural Resource Protection Group, was **shot dead** while accompanying two Cambodia Daily journalists to investigate illegal logging in the Cardamom Mountains. A military police officer was also killed.

Authorities quickly determined that the dead MP shot Wutty, ensuring no one would be prosecuted for his death. They then offered no fewer than four explanations of the MP’s own death – including that he shot himself twice with his own AK-47 - while turning a blind eye to the logging crimes Wutty was investigating. The **lack of a real investigation** into Wutty’s killing has sent a chilling message to other environmental activists and NGO leaders.

Workers in Cambodia’s vital garment industry have also faced government violence in response to their calls for improved working conditions and increased wages. On February 20, over 1,000 workers from three factories in Svay Rieng’s Manhattan Special Economic Zone were protesting their working conditions when a **gunman** opened fire, injuring three young female workers. The shooter was allowed to flee, despite the presence of military police. He was later identified as a local district governor, **Chhouk Bandith**.

Bandith was later charged with causing “unintentional injury,” a ludicrous charge given that he fired numerous rounds of live ammunition into a crowd of

The Case of Leang Sokchoeun

In the first half of 2012, Cambodia’s judiciary also continued to undermine the work of NGOs protecting human rights.

The conviction against LICADHO employee Leang Sokchoeun, who was sentenced in 2010 for allegedly distributing anti-government leaflets in Takeo Province, was once again upheld in 2012, this time by the Supreme Court.

The verdict was upheld despite a complete lack of evidence supporting the charges and a vast body of exculpatory evidence. Sokchoeun served his entire two year sentence before being released from Kandal Provincial Prison on May 30.



Leang Sokchoeun speaks to reporters following his release from prison on May 30, 2012.



World Environment Day, June 5, 2012, Phnom Penh.



World Environment Day, June 5, 2012, Phnom Penh.

1,000 workers. He was never placed in pretrial detention, despite having admitted to the prosecutor that he fired his weapon. The charges against Bandith were finally **dropped** altogether in December.

During a major ASEAN summit in July, authorities unleashed an **unprovoked beating** on union leader Rong Panha, after he **gathered with union workers** in a public park to demand living wages. The workers were employed by Tai Yang Enterprises, which supplies international clothing giants Levi Strauss, Gap and Old Navy, among others.

THE JUDICIARY: A USEFUL WEAPON TO SILENCE CRITICS

Authorities continue to resort to the judicial system to silence those who assert their rights or question entrenched interests. Throughout 2012, court summonses and the threat of arrest were increasingly used to intimidate human rights defenders.

For example, on February 20, 2012, ADHOC staff member, Soum Chankea, was **summoned** to court for questioning on a criminal charge of "slandering denunciation" under Article 311 of the Penal Code. The summons was reportedly related to ADHOC's intervention in a case of a waitress who reported being sexually harassed and molested by Oum Socheath, the head of the Banteay Meanchey branch of the Cambodian Mine Action Centre (CMAC). The criminal complaint against Soum Chankea was dropped on May 8, but there is no doubt that the summoning for questioning was directly related to his work in assisting victims of human rights violations.

On May 22, 13 female activists from the Boeung Kak Lake community were **arrested** after a peaceful demonstration over a land dispute that has already led to the displacement of over 3,500 families. They had been protesting for hours, but weren't arrested until some had the audacity to **break out into song**.

The only thing more shocking than their arrests was their **convictions**. A mass trial of all 13 activists was convened two days after their arrest. The group entered the court as suspects, and within hours left as convicted felons. Lawyers for the activists requested a delay in the proceedings, but were denied. The lawyers were also refused access to the case file and state evi-

\$10

Monthly raise sought by garment workers in Svay Rieng during a protest in which an unidentified gunman - believed to be then-governor Chhouk Bandith - opened fire on them

\$4.25 billion

Value of Cambodian garment and textile exports in 2011



Union leader Rong Panha is beaten and taken away by police during a peaceful gathering on July 11, 2012.

Activist monk Venerable Loun Sovath is forcibly detained by authorities during the trial of the Boeung Kak 13 on May 24, 2012.



dence. They were not even permitted to call witnesses.

All the women were summarily convicted of “illegal occupation of land” and “obstruction of public officials with aggravating circumstances” and sentenced to two-and-a-half years in prison. Outside the court, two more Boeung Kak residents were arrested and the activist monk, Loun Sovath, was surrounded by religious and civilian authorities and [forced into a Land Cruiser](#). He was driven to a local pagoda where he was threatened with defrocking and criminal charges unless he stopped advocating for human rights victims. In recognition for his work, Venerable Sovath was awarded the [2012 Martin Ennals Award for Human Rights Defenders](#) on Oct. 2, becoming the first Cambodian ever to win the prestigious honor, known colloquially as the “Nobel Prize for human rights.” Sovath is the first Buddhist monk and first Southeast Asian to win the award.

Following an extensive national and international advocacy campaign, aided by LICADHO, the Court of Appeals [released](#) the Boeung Kak 13 after one month and three days of detention. Nonetheless, the charges were not dropped, the sentence was merely suspended, meaning that the 13 women still have a criminal record for offenses they did not commit. The battle is not over as the women are planning to appeal the conviction at the Supreme Court. LICADHO lawyers have represented the women through the entire process.

Unfortunately, even the joy associated with the Boeung Kak women’s release was tainted by government violence. While the appeals hearing proceeded, anti-riot intervention police were mobilized to prevent Boeung Kak residents and others from reaching the court. As a group of the women’s children tried to rush through the roadblock, the police officers turned violent, injuring five villagers and seven children who had to receive medical treatment. Amongst the victims was a woman – the sister of one of the jailed representatives – who had a miscarriage after being kicked in the stomach by a police officer. Her stay at the hospital was facilitated by LICADHO’s medical team.

A SUMMER OF RETRIBUTION

The modest victory in the case of the Boeung Kak 13 was short-lived, however, as the human rights situation took a turn for the worse in the following months.

On June 25, 2012, Beehive Radio, one of Cambodia’s few independent radio stations, broadcast a report on a “communication” submitted to the International Criminal Court accusing officials in the Cambodian government of crimes against humanity related to forced displacements and evictions. Twenty-four hours after the Beehive report first aired, Prime Minister Hun Sen publicly called for Sonando’s arrest during a nationally-televised speech.

By July 2, 2012, an arrest warrant had been issued by Kratie province investigating judge Chok Nguon, accusing Sonando of crimes related to a so-called “secession” movement in Kratie province – the same unsubstantiated plot that led authorities to raid Broma village and kill a 14-year-old girl. Since at least January 2012, the residents of Broma have been embroiled in a well-publicized and escalating land dispute with Casotim, a well-connected private company that holds of a 15,000-hectare land concession near their village. Several villagers were members of an NGO founded by Sonando called the Association of Democrats.

Sonando was [arrested](#) on July 15, and detained under an array of criminal charges including participation in an insurrectionary movement, inciting people to take up arms against the state, and obstruction of public officials. It was the third time he had been arrested on politically-motivated charges since 2003.



One of the Boeung Kak Lake defendants reacts after the appeal court decision is announced.

On October 1, Sonando was **convicted** and sentenced to 20 years in prison. The evidence presented for the secession plot included a collection of crude farm tools which authorities claim villagers were planning to use to defeat Cambodian forces. The national and international communities erupted in protest following the conviction, but Sonando remains in prison as of the end of 2012.

A human rights NGO staff member was also drawn into the Kratie affair in August, when the Phnom Penh municipal court issued a summons for Chan Soveth, a long-time human rights worker from the Cambodian Human Rights and Development Association (ADHOC) since 1995. Soveth, who was well-known as an outspoken critic of the government, was called by the court for questioning related to alleged assistance he provided to one of the suspects in the case.

The summons was issued less than two weeks after a nationally-televised speech by the Prime Minister in which he implored an unnamed NGO worker to “confess” for his role in aiding the Kratie villagers. During the speech, the Prime Minister turned to his staff and asked “Has he been called for questioning? Not yet? Not yet called ...” Records indicate that the criminal case against Soveth was opened a mere 48 hours after the Prime Minister’s speech. A **coalition of civil society organizations**, including LICADHO, called the summons “the boldest attack against human rights work that we’ve seen in a decade” and “nothing short of an attempt to criminalize legitimate NGO activities.” Soveth appeared in court on December 24 and was not charged, though his case is still pending.

As the Kratie saga unfolded, two prominent land activists – Yorm Bopha of the Boeung Kak community and Tim Sakmony of Borei Keila – were **arrested and placed in pretrial detention** within 24 hours of each other in September. Amnesty International declared both women **prisoners of conscience** in December.

Bopha was arrested for allegedly assaulting a motodop who witnesses claim had repeatedly vandalized her property. Evidence presented at trial showed she was not involved in the incident. She was **sentenced** to three years in prison on December 26 – another inmate in a prison system that is crumbling under the weight of holding nearly two times the number of prisoners it is designed for.

Sakmony was arrested for allegedly filing false documents on behalf of her disabled adult son - a victim of Phanimex’s malfeasance at Borei Keila. There is no

2003

Year of Mam Sonando’s first arrest on politically-motivated charges

\$7,500

Amount of court-ordered compensation that Boeung Kak resident Yorm Bopha and three others must pay to an assault victim who was beaten after allegedly vandalizing their property. The court also sentenced Bopha to three years in prison for the assault, but she denies any involvement

\$8,500

Average offer of compensation for the property most of the evicted families at Boeung Kak Lake

\$5

Amount that Yorm Bopha’s family claims they must pay to prison guards for each visit at Correctional Center 2



Mam Sonando supporters demonstrate near the Phnom Penh Municipal Court during the announcement of the independent radio station owner’s conviction on Oct. 1, 2012.

evidence suggesting that the claim was falsified in any way. Meanwhile, Phanimex unilaterally pulled out of its deal to build housing for evicted residents. The company was contractually obligated to build 10 buildings, but only built eight.

On December 26, Sakmony was sentenced to time served and was released from prison.

On the same day Born Samnang and Sok Sam Oeun – two men accused of killing union leader Chea Vichea in 2004 – were **arrested and imprisoned** after the court of appeal reheard their case. The pair, widely believed to have been framed as scapegoats, had been freed in December 2008 by a courageous Supreme Court, in a decision which ordered further investigation into the killing amid extensive evidence of their innocence. Without hearing any new evidence of guilt during the rehearing in November 2012, the court of appeal ordered them back to prison to serve the remainder of their 20-year sentences.

CRACKDOWN ON FREEDOM OF EXPRESSION AND FREEDOM OF ASSEMBLY

The most shocking attack on freedom of expression in 2012 came in September, when muckraking journalist Hang Serei Oudom was **murdered**. His battered body, hacked at least six times with an axe, was found in the trunk of his car. Oudom's work had focused on exposing illegal logging and forest crimes involving the local elite.

Meanwhile, as Cambodia's ASEAN chairmanship unfolded and the 2012 commune election approached, the government demonstrated increased intolerance for peaceful assembly and expression.

In March, 30 villagers from Koh Kong travelled to Phnom Penh to deliver a petition to the Chinese embassy regarding an ongoing land dispute with the Chinese Union Development Group Co. that affects over 1,000 families. Authorities confronted the group at their guesthouse in Phnom Penh, and forced them into a bus that returned them to Koh Kong. Two of the group's leaders were detained in Phnom Penh.

Similarly, in May, the Pursat court opened a criminal complaint against Kuth Veng, a prominent community leader, accusing him of incitement in relation to an ongoing land dispute between communities in Pursat and Pheapimex Co. He was informed of the criminal case the day he accompanied LICADHO lawyers in filing his community's civil case related to the land dispute.

The 21st ASEAN summit and the 7th East Asia Summit in November, and an associated gathering of ASEAN civil society organizations prior to the meetings, brought a **new wave of crackdowns** on freedom of expression and assembly.

Prior to the summit, authorities repeatedly warned on television, radio, online and in print that citizens were expected to behave during the ASEAN summit and that disturbances would not be tolerated.

On November 12, the Ministry of Interior stated



Rooftop of an airport-area resident bearing an SOS message to US President Barack Obama. The residents were arrested and detained.

250

Minimum number of activists who were turned away or ejected from guesthouses in Phnom Penh during the ASEAN civil society conference from Nov. 12-16

36,000

Size of land concession granted to the Chinese firm Union Development Group in Koh Kong to develop a US \$3.8 billion "tourism zone"



A man participates in a pan-ASEAN civil society march in Phnom Penh on Nov. 16, 2012, just prior to the 21st ASEAN summit. Authorities attempted to block the gathering.

that they would not allow a planned march of 3,000 people from Cambodia and the region organized by the ASEAN Grassroots Peoples Assembly/Solidarity for Asian People's Advocacy (AGPA/SAPA) – an ASEAN umbrella group for civil society – on November 16. Ultimately, about 1,500 people gathered anyway in front of the Korean Center in Phnom Penh, and marched to the nearby National Assembly, where they stayed for about three hours without any disruptions.

Between November 12 and 14, at least five venue owners unilaterally pulled out of contractual agreements to hold civil society events at the last minute due to pressure and intimidation by authorities. In one case, the Stung Meas restaurant in Phnom Penh – which was to be the site of the AGPA/SAPA opening ceremony – pulled out on the day of the event, as 1,500 people were en route to the gathering. Both the electricity and water supplies to the venue were cut off.

Meanwhile, more than 250 activists from around Cambodia were turned out of their guesthouses, some in the middle of the night. Several activists also received threatening phone calls, warning them to be quiet in the run up to the ASEAN summit. Undercover and uniformed police also intimidated activists directly, trying to enter an NGO office and disrupt a workshop, asking for names of all participants, and making threatening comments. They also questioned all NGO venues which hosted ASEAN related meetings, both for AGPA/SAPA gatherings and for separate meetings organized by the Asean Civil Society Conference/Asean People's Forum (ACSC/APF).

On November 15, eight residents of Thmor Kol village, located near Phnom Penh International Airport, were [arrested and detained](#) after they painted "SOS" on their rooftops next to images of US President Barack Obama, who was due to arrive in Phnom Penh the following week for the ASEAN Summit. The villagers – who have possession rights to their land under the law – were among some 165 households who received eviction notices in July. The notices claimed they were living on state land. The villagers were released 12 hours later.

Also in November, the government issued a new circular ordering the closure of all Internet cafes within a 500 meter radius of schools and educational institutions – an order that, if implemented, would have amounted to [a near-complete ban](#) on such businesses in central Phnom Penh. After an outcry of negative publicity, au-

Human Rights in Cambodia's Prisons

Two years after LICADHO first warned that Cambodia's prison population was spiraling out of control, growth has finally slowed – but by mid-year the Kingdom's prisons remain at more than 170% of capacity and the underlying causes of the crisis remain unaddressed. Even more concerning, growth had once again begun to accelerate by the end of 2012.

In July 2012, LICADHO published the [third installment](#) in its series on prison overcrowding and criminal justice reform. Among the most notable findings were that the number of inmates incarcerated for drug offenses had increased by a whopping 163% during 2011. And in 13 prisons surveyed by LICADHO, the total nearly quadrupled since 2008.

LICADHO has also closely monitored the status of inmates in the provinces who are unable to attend their appeals hearings in Phnom Penh, despite being guaranteed that right under law. In a [2012 report](#), LICADHO found that nearly 800 inmates with pending appeals were held in 11 provincial prisons surveyed by LICADHO. At the time, the General Department of Prisons had virtually no means to transport these prisoners to their appeal hearings in Phnom Penh. However, since the publication of the report, a small-scale transport system has begun operations.



A Boeung Kak Lake resident cries out on December 10, International Human Rights Day, after police beat back demonstrators attempting to march to the Council of Ministers building.

thorities publicly denied that they intended to close any Internet cafes. But the tone of the circular led to fears that Cambodia's forthcoming Cyberlaw – which could be enacted as early as 2013 – could contain draconian provisions restricting the use of the Internet.

In a more positive development, more than 42,000 people from across Cambodia came together to mark [International Human Rights Day](#) at multiple events nationwide between December 8-11. Most events were peaceful, though some were not – notably a planned march by the Boeung Kak community which ended in vicious police violence when residents attempted to march to the Council of Ministers building.

Participants in many events signed T-shirt petitions calling for an end to forced evictions, among other things. The T-shirts were then brought to the National Assembly on December 17, along with thousands of advocacy items calling for an end to evictions sent in from Amnesty International members in South Korea, New Zealand, France and Germany. To conclude the gathering in front of the National Assembly, [hundreds of organizers and volunteers danced](#) to a land-rights themed rendition of “Gangnam style” wearing T-shirt petitions which had been endorsed by over 11,000 Cambodians.

LOOKING TO 2013

As 2013 begins, at least [12 human rights defenders](#) remain imprisoned, land conflict continues to dominate the human rights agenda, and fear permeates the landscape. The year will also see National Assembly elections in July, an event almost certain to bring increased repression and obstruction of personal freedoms as the ruling Cambodian People's Party seeks to maintain its grip on power. In light of the events of 2012, and the political importance of 2013, the human rights atmosphere will likely remain tense. ■

“Land and labor ... have emerged as the most pressing human rights issues in Cambodia today. Land and labor form the foundation of peoples' livelihoods – they are at the core of any society. When there is no justice in these sectors, there is no justice in any sector.”

Vorn Pao

President of Independent Democracy of Informal Economy Association (IDEA)

CITATIONS TO HUMAN RIGHTS 2012 BY THE NUMBERS, P. 2

- 1 http://www.licadho-cambodia.org/concession_timelapse/
- 2 <http://www.reuters.com/article/2012/06/26/us-cambodia-land-idUSBRE85P0G520120626>
- 3 http://en.wikipedia.org/wiki/List_of_countries_and_dependencies_by_area
- 4 Ibid.
- 5 <http://www.licadho-cambodia.org/pressrelease.php?perm=283>
- 6 <https://saveboeungkak.wordpress.com/category/english/page/2/>
- 7 <http://teangtnaut.org/advocacy-programme/media-project/>
- 8 <https://saveboeungkak.wordpress.com/category/english/page/2/>
- 9 <http://www.licadho-cambodia.org/pressrelease.php?perm=283>
- 10 <http://www.licadho-cambodia.org/pressrelease.php?perm=271>
- 11 <http://www.phnompenhpost.com/index.php/2012091758746/National-news/bandith-trial-to-begin-soon.html>
- 12 <http://www.licadho-cambodia.org/pressrelease.php?perm=291>
- 13 <http://www.licadho-cambodia.org/reports/files/170LICADHOBriefingPaper-MamSonandoExplained2012-English.pdf>
- 14 <http://www.licadho-cambodia.org/reports/files/170LICADHOBriefingPaper-MamSonandoExplained2012-English.pdf>
- 15 <http://www.opendevelopmentcambodia.net/news-source/the-cambodia-daily/radio-station-owner-implicated-in-secessionist-movement/>
- 16 <http://www.licadho-cambodia.org/pressrelease.php?perm=291>
- 17 <http://www.licadho-cambodia.org/pressrelease.php?perm=277>
- 18 <http://www.cambodiadaily.com/news/europe-adopts-resolution-on-cambodian-rights-situation-4862/>
- 19 <http://www.licadho-cambodia.org/reports/files/168LICADHOBriefingPaperBeyondCapacity2012-English.pdf>
- 20 <http://www.licadho-cambodia.org/reports/files/154LICADHOREportPrisonStillBeyondCapacityEng.pdf>
- 21 <http://www.licadho-cambodia.org/reports/files/168LICADHOBriefingPaperBeyondCapacity2012-English.pdf>
- 22 <http://www.licadho-cambodia.org/reports/files/154LICADHOREportPrisonStillBeyondCapacityEng.pdf>
- 23 <http://www.phnompenhpost.com/index.php/2012102459382/National-news/record-dogs-new-acra-chief.html>
- 24 <http://thecnnfreedomproject.blogs.cnn.com/2011/10/04/tracking-factory-slaves-across-asia/>
- 25 <http://www.phnompenhpost.com/index.php/2012102459382/National-news/record-dogs-new-acra-chief.html>

A Mam Sonando supporter demonstrates outside the Court of Appeals during a hearing for Sonando's bail application on Dec. 14, 2012.



COMBATTING HUMAN TRAFFICKING



LICADHO client Prum Vannak was trafficked to work as a fisherman in Thailand. He spent over three years in slave-like conditions until he finally escaped from his boat. In June, he was named the US State Department's Trafficking in Persons Report Hero for 2012.

Asia's Modern-Day Slavery

Slavery has long been abolished in name, but the institution continues in practice throughout Southeast Asia, particularly in the fishing and domestic work industries. Impoverished Cambodians – enticed by false promises of high wages, comfortable working conditions and up-front cash loans – are at great risk of being victimized. Some unscrupulous brokers even offer jobs that are entirely fictitious, before trafficking victims across the border and selling them to another broker.

At any given time, an estimated 60,000 foreign nationals are working on boats in the Thai commercial fishing fleet. Many of them, including thousands from Cambodia, have been trafficked. Fishermen can be kept at sea for years, working 20-hour days without pay or freedom to leave. They are often beaten and drugged. Many attempt to escape by swimming to shore. Over the past two years, LICADHO has helped repatriate more than 235 trafficked Cambodian fishermen, most of whom have fled their boats off the coast of Malaysia and Indonesia.

While the domestic labor industry is making use of licensed recruitment agencies, it is often just as dangerous. It is estimated that more than 50,000 Cambodian women have gone to work as domestic laborers in Malaysia since 2008, most of whom work as live-in maids. Once placed with a family, the women have no support network beyond the home. They are entirely dependent on the employer and often unable to leave the house. This situation creates the potential for tremendous abuse. In the past two years, LICADHO has helped assist and/or repatriate some 250 Cambodian domestic workers from Malaysia. Many told stories of horrific abuse, including rapes, beatings and slave-like working conditions.

LICADHO continued to document abuses in the domestic work and fishing industries in 2012, and assisted in the repatriation of 179 Cambodian victims.

REACHING OUT TO HELP

On February 2, 2012, LICADHO cooperated with the International Organization for Migration (IOM) to support the reintegration of 12 domestic workers repatriated

LICADHO's Impact

179

Victims of human trafficking that LICADHO helped locate, repatriate or otherwise assist in 2012

102

Number of clients receiving legal consultations from LICADHO regarding human trafficking for labor or sexual exploitation in 2012

60,000

Foreign nationals estimated to be working on Thai fishing boats at any given time

from Malaysia after suffering significant abuses. The young women had been sent to Malaysia through licensed Cambodian recruitment agencies, and all faced abuse from their Malaysian employers – ranging from physical abuse to drugging to rape. Due to a lack of support from their recruitment agencies, they chose to escape. They were ultimately detained in a police station in Malaysia.

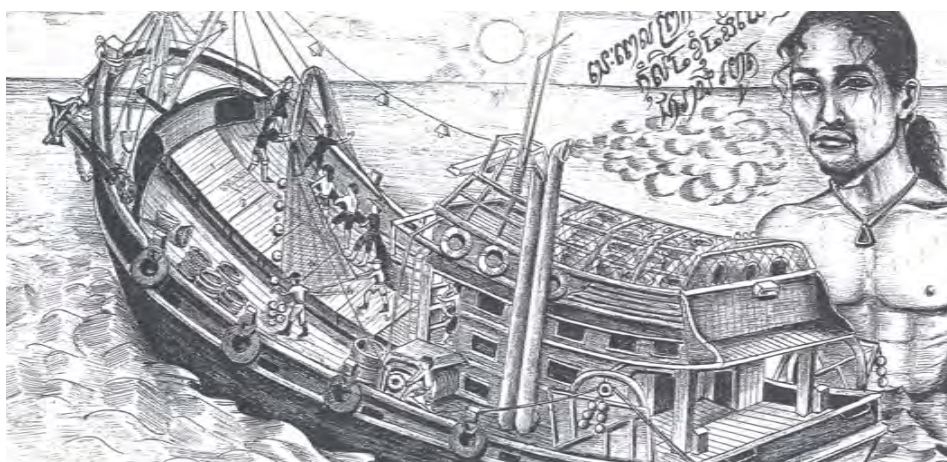
The women were helped by IOM and the International Red Cross, as well as the Cambodian embassy in Malaysia. LICADHO, IOM and Hagar provided food, accommodation, transportation, and pocket money while the women waited to be repatriated. Three women have returned to their families; the others are now staying in the Hagar Center, and learning technical skills for employment.

On February 7, 2012, LICADHO supported the reintegration of seven trafficked fishermen who escaped their boats and fled to Indonesia. The victims were all deceived by Cambodian brokers who had promised them good employment. The men had been away since 2006, when they were sold to boat owners to become fishermen. They were never paid and were not allowed to leave their boats. They escaped from the boat when it docked at an Indonesian island in October 2010. The Indonesian police then arrested them, and contacted IOM to coordinate their return to Cambodia.

LICADHO helped repatriate and support an additional 21 trafficked fishermen in February and March, from Indonesia, Malaysia and Mauritius. All told stories similar to those of previous trafficking victims – tales of long hours at sea, unpaid wages, physical abuse and the inability to leave boats. One of the men reported leaving Cambodia 20 years ago.

Earlier this year, LICADHO staff also traveled to Malaysia to observe the trial of a family accused of severe physical and mental abuse of their Cambodian domestic worker, Neak Ban. Ban had courageously decided to stay in Malaysia to testify during the prosecution, which required her to remain in a poorly funded government shelter for over a year after her rescue. LICADHO attended the trial to support Ban while she testified, and to observe the trial process and translation. LICADHO also met with the prosecutor, partner NGOs in Malaysia, and Embassy officials to ensure Ban's interests were represented. The case is ongoing.

In August 2012, LICADHO joined a small team of Cambodian lawyers from various partner NGOs in formulating a litigation strategy to coordinate the investigation and prosecution of Giant Ocean, a recruiting agency responsible for trafficking nearly 1,000 Cambodian men onto exploitative fishing boats. LICADHO monitors and lawyers interviewed victims and compiled evidence of the company's criminal acts throughout the year. A LICADHO lawyer also began drafting the complaints of those victims assisted by LICADHO. Complaints from multiple NGOs will be filed together in early 2013. This new joint effort to bring coordinated legal complaints from dozens of victims of one company at the same time offers a promising new avenue of strategic intervention and advocacy. ■



Upon his return to Cambodia in 2010, human trafficking victim Prum Vannak began drawing pictures about his experiences. This sketch depicts a boat on which Vannak was forced to work.

Courtesy/Prum Vannak

The Story of Prum Vannak

In June 2006, Prum Vannak went to the Cambodian-Thai border in search of work. His wife was pregnant and he had heard stories of good wages on the other side of the border. He was approached by a middleman who took him to the Thai-Cambodian border town of Malai, where he was told by the local broker that he could work in a fish processing factory (fish drying) in Thailand for a monthly salary of 4,000 to 4,500 Thai Baht (US \$130 to US \$146).

After crossing the border, Vannak was taken with other migrants to a safe house. From there, he was sold to a Thai boat captain. From June 2006 to August 2009, Vannak was forced to work on various fishing boats on the high seas, frequently being transferred to other vessels without being able to return home. Prum Vannak reported that since the year 2008, he regularly approached the respective boat captains with a request to be allowed to return to Cambodia. These requests were simply ignored at best, or in worse cases met by threats or physical violence.

Vannak was beaten regularly by his boat captains. He had to work excessive hours with short periods for rest, and never received a salary. Finally, in August 2009, he decided to jump ship off the coast of Sarawak, Malaysia. He managed to swim ashore, and tried to find a police station to turn himself in.

In town, Vannak was approached by a person whom he told in broken Malaysian that he wished to return to Cambodia. The person turned out to be a labor broker for a palm oil plantation. Vannak was taken to the plantation where he began working to pay his way home.

Vannak worked over two months on the plantation, until one day he and a friend were injured when they tried to intervene in a fight between the workers. That night, the manager took Vannak and his friend in his car, dropped them along a deserted road and drove off. Shortly after that, the two men were rescued by a police patrol, and transferred to hospital. Vannak eventually made it home to Cambodia in early 2010.

After his return, Vannak drew a series of sketches depicting his human trafficking journey. His artwork has received considerable attention. He was also featured in an MTV Exit documentary on human trafficking in Asia. In June 2012, he was named the US State Department's Trafficking in Persons Report Hero for 2012.

PRISON MONITORING AND ADVOCACY



Prisoners sit inside a cell at the former prison in Kampong Thom. The prison - which was the most overcrowded in Cambodia - was closed in 2010. Less than two years after opening, the new prison is already filled to more than 150% of its capacity.

Advocacy Aids Inmate Appeals

LICADHO's prison project is charged with monitoring 18 of Cambodia's 28 civilian prisons, and providing a variety of services to inmates within these prisons – from paralegal aid to social assistance to medical treatment. Information gathered during prison visits is used to advocate for better prison conditions and for action in specific cases.

The majority of Cambodian prisoners continue to live in appalling conditions, with the prisons monitored by LICADHO operating at approximately 174% of their capacity at the end of the year. Lack of nutritious food, clean water and adequate health facilities remain serious, widespread problems.

The situation is worst for the poorest inmates or those with no relatives or friends able to visit and support them. If inmates want nutritious food and adequate potable water they have to pay for it themselves. In fact, virtually every privilege, benefit and comfort in prison has a price tag, from a sleeping space to recreation time. The current prison system lacks resources and capacity, corruption is widespread and deep-rooted. Prison staff are poorly paid and receive little, if any, training.

The prisons monitored by LICADHO housed 13,771 inmates at the end of June, approximately 90% of the national total. In the past year, prison researchers interviewed 1,509 new inmates and formally intervened to assist 1,590 prisoners by sending letters to municipal courts, the Appeal Court, the Ministry of Justice (MOJ) and the General Department of Prisons (GDP).

One of the prison project's key advocacy areas over the past two years has been the growing problem of prisoners who are not able to attend their appeals hearings, a serious violation of fair trial rights.

There are an estimated 1,500 such inmates, many of whom are incarcerated in the provinces – hundreds of kilometers away from Cambodia's only appeals court in Phnom Penh. The prison system lacks a comprehensive inmate transportation system, meaning these inmates have virtually no chance of attending their appeals

LICADHO's Impact

1,509

Number of individual inmates interviewed by LICADHO in 2012

2,617

Total interviews conducted, including follow-ups

8.9%

Percentage of interviewed pretrial inmates reporting torture in 2012

97

Number of inmates who reported being tortured in prison or in police custody during 2012

hearings. In Cambodia, appeals hearings can function much like ordinary trials, meaning it is important for defendants to be in attendance.

LICADHO initially reported on the inmate appeals crisis in 2010, and made several recommendations on how to address the problem. The report was favorably received, but not much changed. This led LICADHO to publish a follow-up report in April 2012. The second report demonstrated that there were at least 800 inmates who were at risk of losing their right to a fair appeal trial due to the lack of inmate transportation.

Immediately following the publication of the report, the Phnom Penh Post reported that the government planned to implement one of the report's key recommendations: The creation of regional appeals courts to minimize transport costs for prisoners. LICADHO researchers also documented the fact that GDP began funding a regular transport vehicle to make trips to provincial prisons, so that prisoners could attend their hearings. LICADHO estimates that well over a hundred prisoners have benefitted from the improved transport system since its inception in May. LICADHO's prison project will continue to monitor developments on this front.

ADOPT-A-PRISON PROJECT

As of December 2012, LICADHO and NGO partners were providing food, material, medical and educational support to 66 children living with their mothers in prison and to 14 pregnant women via the Adopt-a-Prison Project.

LICADHO is continuing its efforts to find civil society partners willing to help provide extra food for inmates, pregnant women and children living with their mothers. Recent efforts have focused on issues related to the new prison law, which prevents children over age three from coming to prison with their mothers. This has created an acute need for guidelines on the assessment, placement and monitoring of children who are separated from their mothers due to incarceration.

PRISON HEALTH SERVICES

LICADHO's Medical Project provides regular medical care to inmates in 14 prisons and focuses on: Health promotion by monitoring human rights abuses and torture; intervening in the case of urgent health problems; referring patients to hospitals in serious cases; monitoring the living conditions in cells; and investigating causes of deaths in prison.

The Medical Project also provides extra food for pregnant women, babies, children the elderly and critically ill individuals and human rights defenders. ■



The Kampot provincial prison, pictured above, is among Cambodia's oldest prisons. This building once housed the French colonial police.

LICADHO Partners with EU and TPO to Improve Mental Health in Prisons

In January, LICADHO embarked on a two-year partnership with the mental health NGO Transcultural Psychosocial Organization (TPO) to help improve conditions for prisoners in 19 of Cambodia's prisons. The project is supported by the European Union.

The partnership leverages the expertise of both organizations in order to expand



overall services to Cambodian prisoners. LICADHO will continue its nearly 20-year tradition of monitoring prison conditions while providing paralegal, health and social services to inmates. TPO, meanwhile, will provide mental health services for inmates and train prison staff on mental health issues.

As part of the project, LICADHO staff have been trained to identify inmates who may be in need of mental health treatment. These inmates are then referred to TPO for evaluation.

During the first year of the project, LICADHO prison researchers and medical staff conducted preliminary screenings of prisoners for mental health needs. Based on these screenings, a total of 82 prisoners were referred to TPO mental health staff for "comprehensive assessments." Of these, 70 were taken on as clients by TPO.

Mental health cooperation is focused on four prisons: Correctional Center 1, Correctional Center 2, Takhmao and Kampong Chhnang.

Celebration of Women and Children

To mark International Women's Day on March 8, LICADHO helped organize IWD celebrations in 18 prisons across Cambodia. LICADHO staff distributed essential items to 1,135 female inmates, 11 pregnant inmates, 74 children who live with their mothers in prison, and 151 female prison provincial officials. Pregnant women received additional items.

To mark International Children's Day on June 1, LICADHO distributed aid in 14 prisons (two prison events were held on May 29 due to scheduling changing). Staff distributed food, drinks and materials to children and pregnant women. Special events with entertainment were organized at Correctional Center 2 (CC2) and Takhmao prisons.

HUMAN RIGHTS MONITORING



A child peers through a police riot shield as demonstrators gather for the trial of Mam Sonando on Sept. 11, 2012. The child and others were blocked hundreds of meters from the courthouse, and were prevented from attending the public hearing.

Observing, Documenting, Intervening

Monitoring human rights abuses is a core aspect of LICADHO's work. The work of LICADHO's human rights monitors - who serve as our eyes and ears - informs every other aspect of our work: Our advocacy, our humanitarian assistance to communities and our negotiations with authorities.

LICADHO's primary monitoring team is the Human Rights Monitoring Project (HRMP). With a team of monitors in Phnom Penh and one in each of our 12 provincial offices, LICADHO is able to respond quickly to - and document - reports of abuse. LICADHO monitors also observe protests, elections and other public gatherings.

During 2012, monitors based in Phnom Penh and 12 provinces investigated a total of 351 new human rights cases, affecting 1,725 individual victims and 5,193 families.

Land grabbing was the most common type of human rights violation, accounting for 22.5% of the total human rights cases and affecting 5,158 families.

LICADHO's Children's Rights Monitoring Project (CRMP) is dedicated to investigating and documenting human rights abuses against children, and to providing specialized assistance for young victims.

In 2012, CRMP investigated and documented 229 new cases affecting 243 children under the age of 18 (222 girls and 21 boys). Rape and attempted rape remained the most common form of child rights violations investigated by LICADHO, accounting for 77.39% of total cases received and investigated.

Finally, LICADHO's Women's Rights Monitoring Project (WRMP) is dedicated to investigating and documenting crimes against women.

In 2012, the WRMP investigated 224 new cases of women's rights violations, involving 226 female victims and 236 perpetrators.

WRMP documented the deaths of four women due to domestic violence, and

LICADHO's Impact

79

New cases related to land grabbing investigated by LICADHO monitors during 2012

351

New human rights cases investigated by LICADHO monitors during 2012

5,158

Families affected by these cases

807

Number of interventions to local authorities on behalf of clients during 2012



Police stand by during a demonstration by the Boeung Kak community on June 27, 2012.

two women who died after being raped. Domestic violence accounted for 66.07% of all cases. More women are seeking justice for violence directed towards them.

ACHIEVING JUST OUTCOMES

LICADHO's monitoring programs do not stop with simple documentation of abuses, however. One of the most important roles of LICADHO monitors is their ability to assist clients in achieving a just outcome, whether by requesting intervention from local government authorities, negotiations with involved parties, or public advocacy.

In January, for example, LICADHO investigated the case of a 15-year-old girl who was raped in Phnom Penh's Chamkarmon District.

The victim reported that she was invited to lunch by a female friend, Ngoun Srey Mey, who put a sleeping pill in her drink. The victim fell asleep, and was raped by Ngoun Srey Mey's cousin, a 20-year-old man named Dor Thy Tam. Following the initial abuse, the pair collaborated to detain the victim for four days. The victim was raped again during this period.

LICADHO was informed of the case five days after the initial rape. A Child Rights Monitor conducted an interview with the victim and witnesses, collected the information from the scene of the crime and asked the police to investigate the case. The monitor then helped the victim and her family file a formal complaint with the prosecutor and secured further assistance for the girl through Cambodian Women's Crisis Center and Hagar. Hagar ultimately secured a lawyer for the girl through another organization, APLE.

On January 15, 2012, the two accused were arrested and sent to court for an initial hearing. They were placed in pretrial detention pending trial.

On August 11, 2012, the Phnom Penh Court of the First Instance convicted the perpetrators and sentenced them to prison. Ngoun Srey Mey received three years imprisonment, while Dor Thy Tam received four years. They were also ordered to pay civil compensation of 10 million riels to the victim.

Another example is a case LICADHO's Women's Rights Monitors handled in April 2012. A woman from Phnom Penh had filed a complaint with LICADHO about domestic violence, but her husband worked as a prominent judge. She also attempted to file for divorce on several occasions, but the court staff – all friends of her husband – would not accept the filing.

In early 2012, she left home with her children and moved in with her parents. She came to LICADHO in April seeking help to file for divorce. LICADHO staff helped her draft a complaint letter and took her to the municipal court to file it. The court finally opened the divorce case in July 2012. Ultimately, she was granted the divorce she sought. ■

804

Total number of new cases investigated by LICADHO's human rights, women's rights and children's rights monitors combined.

251

Number of observations, including attendance at court hearings, community protests, strikes, international celebrations (Women's Rights Day, etc.)

865

Number of field investigations and follow-ups conducted (new and pending cases).

(All statistics for Jan. - Dec. 2012)

Sending out an SOS

On November 14, 2012, people living near Phnom Penh International Airport in Thmor Kol village painted the letters "SOS" on their rooftops, next to photos of US president Obama. Obama was due to arrive in the coming days to attend the 21st ASEAN Summit. The signs were a plea for help, as the residents had been threatened with eviction with minimal compensation.

After refusing to take down the signs, authorities arrested eight residents early on November 15. They had no arrest warrants.

LICADHO learned of the arrests and immediately sent monitors to the village to investigate. It was soon apparent that there was no legal basis for the arrests; it was a simple intimidation tactic. Nonetheless, police continued to detain the eight residents under strict conditions throughout the day, even refusing to allow one resident – a mother of an 8-month-old child – to breast feed her baby. LICADHO and other civil society groups were not allowed to meet with the detainees.

Finally, at 7 p.m., LICADHO staff negotiated the release of the eight by agreeing to sign a contract guaranteeing that LICADHO would be responsible for the residents. The residents were required to sign a contract as well.

For more on this story, see the "Human Rights: 2012 in Review" section above.

SPECIALIZED LEGAL ASSISTANCE



Five members of the Boeung Kak 13 group of activists sit inside the Court of Appeals as they await their verdict on June 27, 2012. The court later announced that the remainder of their sentences would be suspended.

Boeung Kak Ground Zero

LICADHO's Human Rights Legal Project (HRLP) spent the better part of 2012 at the center of one of the highest-profile land grabbing cases in Cambodian history: The Boeung Kak Lake (BKL) case.

Phnom Penh's BKL community has been entangled in a five-year land dispute with the Shukaku company, which is controlled by ruling party senator Lao Meng Khin. The land dispute affected 4,252 families who lived in the vicinity of the lake. Today, the lake has been drained, and more than 3,000 families have been relocated after being coerced into accepting grossly unfair compensation or having had their homes buried under sand. Throughout the years, the community has staged numerous peaceful protests in an effort to have their land ownership right recognized and respected.

In mid-2011, the World Bank announced it had frozen all funding to Cambodia in response to the government's refusal to find a just solution for displaced BKL residents. Only days later, the government announced that 12.44 hectares of land would be put aside for the remaining BKL families. The solution was immediately tainted, however, by the fact that authorities arbitrarily excluded over 90 families from receiving land titles. Authorities have so far also refused to demarcate the 12.44 hectares. As a result, members of the BKL community continued their advocacy and protest efforts.

On May 22, 2012, 16 BKL families staged a media conference near the site where their houses were buried under sand. One family brought sticks to demarcate the location of the demolished home, but authorities prevented them from doing so. By the end of the morning, most villagers had sought shade under nearby homes and trees while a group of villagers were sitting on the sand and singing.

Unannounced and unwarranted, the authorities pushed into the crowd of singers and arrested 13 women, including some of the key BKL community representatives. The group was kept in police custody for two nights.

LICADHO lawyers met the women in police custody and stayed with them until

LICADHO's Impact

17

New cases taken on by LICADHO's legal team

65

Number of clients represented in these cases

10

Number of provinces covered by the Legal Project's cases in 2012, plus Phnom Penh.

late into the evening in order to build trust and prevent police harassment. Lawyers accompanied them to all subsequent interrogations.

On May 24, the women were brought to the municipal court, where they were interviewed, charged, tried and convicted in mere hours. They were each found guilty of obstructing public officials and illegally occupying state land. The trial judge sentenced each of the women to two and a half years in prison, though the sentence was partially suspended for some of the women.

The women were represented by LICADHO lawyers, but the proceeding was merely a show trial. Lawyers for the women requested a delay in the proceedings, but were denied. The lawyers were also refused access to the case file and state evidence. They were not even permitted to call witnesses. To the contrary, two more BKL residents, who had come to the court to serve as witnesses, were arrested outside the court. They were not allowed to testify.

Lawyers from LICADHO's HRLP then turned their attention to the appeal.

The lawyers worked closely with the families of the 13 women, updating them on the legal situation and ensuring that they were granted regular prison visitation rights.

Through formal requests and advocacy efforts, the legal team were successful in getting the case transferred to the appeal court unusually quickly. The appeal was held on June 27 and, whilst the sentence was upheld, the judge ordered the remainder of the sentences suspended and the women released. The lawyers pressed hard to get the release order from the appeal court and the Phnom Penh Prosecutors office issued on the same day. The women were released later that evening. The HRLP is now preparing to represent the 13 BKL women before the Supreme Court.

TWO MORE LAND ARRESTS IN SEPTEMBER

The story of Boeung Kak was far from over, however. In September, another high-profile BKL community member – Yorm Bopha – was arrested on trumped up charges. She had been particularly active in calling for the release of the BKL 13. The next day, a second land activist from the Borei Keila community, Tim Sakmony, was also arrested.

LICADHO's lawyers helped defend both women, while other staff provided humanitarian assistance for both women while they were detained in pretrial detention.

Bopha was charged along with three other defendants for her purported role in the beating of a suspected thief.

Sakmony was charged with making a "false declaration" under article 633 of the Penal Code. The complaint against Sakmony was filed by Suy Sophan, owner of Phanimex – the company that was awarded the Borei Keila community's land in exchange for a promise to build 10 apartment buildings for the current residents. The



Committed to Quality

During 2012, LICADHO's HRLP opened 17 new cases, representing 65 clients across 9 provinces plus Phnom Penh. The cases involved land grabbing, human rights defenders and the shooting of female garment workers. Sixteen of these cases remain open.

In determining which cases to accept, LICADHO's HRLP has made a conscious effort to focus on ensuring the highest quality of legal representation possible, while still providing representation to those most in need. This means that LICADHO lawyers spend more time preparing for each case, conduct more field visits, help coach clients and follow-up with their clients' concerns.

During 2012, the HRLP also organized mock trials and practice interrogations for clients in advance of upcoming hearings. 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.

During 2012, HRLP lawyers also held meetings with law enforcement officials, judges and prison authorities to discuss human rights concerns. They worked in cooperation with partner NGOs, UN agencies and other stakeholders. Additionally they analyzed draft laws, raising awareness of potential threats to human rights in Cambodia.

Last year also saw an increasing number of community representatives arrested during forced evictions and demonstrations. Courts often disregarded procedural requirements in these cases, leaving HRLP lawyers with inadequate time to prepare. Courts sometimes even refused to allow the lawyers to consult with their clients or to access case files prior to trials.

HRLP lawyers also continued to face intimidation and pressure from government lawyers, judges and other officials. Judges continued to undermine HRLP lawyers, showing bias towards the prosecution, and dismissing evidence and statements from the defense. Judges also often questioned HRLP lawyers about the presence of demonstrators or supporters in front of courts, going so far as to threaten the lawyers with incitement charges on multiple occasions.

company decided, however, to build only eight buildings, which led to the ongoing land dispute.

Authorities claimed that Sakmony made a “false declaration” in an attempt to secure an apartment for her 49-year-old disabled son who is a resident of the Borei Keila community. Her son, a widower and former soldier, is suffering from partial paralysis and has difficulty speaking.

The real reason for both arrests was clear: Both Bopha and Sakmony were thorns in the side of the authorities who needed to be silenced.

Despite an international campaign to drop charges, both women were tried on December 26. Just days before the trials, Amnesty International designated both women Prisoners of Conscience.

THE VERDICTS

After a half-day trial, Bopha was convicted and sentenced to three years imprisonment, despite a lack of evidence supporting the charges. Although a man was indeed assaulted near Bopha’s property, every single witness stated that Bopha and her husband – a co-defendant – were not there when the fight broke out, and had not participated in the violence. Bopha and her husband testified that they had been nearby chatting with a neighbor and had come over only after hearing yelling. The neighbor corroborated this testimony.

The case against Yorm Bopha also involved her husband, Lous Sakorm and her two brothers, Yorm Kamhong and Yorm Seth. All four were convicted of intentional violence with aggravating circumstances under article 218 of the Penal Code and sentenced to three years in prison. Between them, the four were also ordered to pay 30,000,000 riel (approximately \$7,500) in compensation to both victims.

Giving a clear signal that Yorm Bopha was the real target of this investigation, her husband’s sentence was fully suspended and he walked free from the courtroom. Her brothers were apparently not even summoned to court, and were tried in absentia. LICADHO continues to provide support to Bopha in prison, and LICADHO lawyers will represent her in her appeal.

The result in Sakmony’s trial was more positive. She was convicted and sentenced to six months in prison, with the final three months suspended. LICADHO staff worked hard to ensure that all of Sakmony’s release paperwork was in order, and she was released on the same day as her verdict was announced. ■

Case Study: A Land Dispute in Sihanoukville

Twenty-seven families in Sihanoukville had been in a land dispute with Kim Song and Kim Eng since 2006. The land dispute was complicated by the fact that Kim Eng was the vice president of the Preah Sihanouk provincial court. The dispute started when he issued a judicial order dividing the land. The families filed a complaint with various government institutions, including the Ministry of Justice, the Supreme Council of Magistracy, and the anti-corruption unit in order to seek a solution.

Pel Sokha, the leader of a humanitarian association in Sihanoukville, was sympathetic toward the affected families. He helped guide representatives of the families in filing their complaints. In June 2011, however, four of the families suddenly withdrew their complaints. Instead, they lodged a criminal complaint against Pel Sokha and two representatives of the remaining families. They accused Sokha of falsifying documents.

In April 2012 the prosecutor formally charged Sokha, and it became clear that the four families were not actually behind the criminal complaint, but had been pressured by Kim Eng.

LICADHO provided a lawyer to defend Sokha; the two community members were represented by other counsel. After a brief trial on September 12, the trial judge dropped the charge against Sokha, but convicted the other two people to five months in prison.



The Court of Appeals in Phnom Penh.

PROTECTING WOMEN & CHILDREN



Image from a LICADHO promotional billboard encouraging parents to send their children to school.

Training the Citizens of Tomorrow

Poverty remains a major obstacle to child development in Cambodia, particularly in the provinces, where poor families may have to choose between sending their children to school or putting food on the table. Many children are sent to work at a young age. At best, they might find their way in a trade and miss out on the chance of an education and a better life. At worst, they might find themselves trafficked to a foreign country and sold into virtual slavery.

In an effort to better educate children and youths about the choices they face – and to protect them when poor decisions are made – LICADHO began organizing Child Protection Groups (CPGs). LICADHO’s Children’s Rights Advocacy team has helped establish 57 CPGs currently operating in the provinces of Sihanoukville, Siem Reap, Koh Kong, Battambang, plus Phnom Penh/Kandal.

The goal of building CPG networks is to provide a mechanism for children to exercise their freedom of expression, to learn about their rights, and to develop local authorities’ capacity to protect children. The groups also help build the foundation for a more just and democratic society in the future: The more that children know their rights, the more they will assert them and expect rule of law as adults.

During 2012, LICADHO’s Children’s Rights Advocacy team focused on capacity building and networking for existing CPGs, with the goal of making them more valuable to their communities.

Following training periods, child and youth CPGs design and produce their own interactive shows which they perform in their provinces. These shows formed part of events in Preah Sihanouk and Battambang provinces in June to celebrate World Day Against Child Labor. To mark this day LICADHO also organized a public awareness campaign about child labor, with demonstrations, speeches and a press release. The events were attended by an estimated 3,800 people, including children, parents, NGO representatives and local authority employees. CPG members also participated in events at CC1 and CC2 prisons to mark International Children’s Day in June. The

LICADHO’s Impact

224

Number of new cases investigated by women’s rights monitors

229

Number of new cases investigated by children’s rights monitors

CPG Member Profile: SM

SM grew up poor in Koh Kong province, the third of four children in a Khmer-Cham family, in a situation that is tragically common for many rural Cambodians.

She dropped out of school before entering the sixth grade to help her parents earn more money, but their situation was still desperate. When she was 16, a man appeared in her village and told SM’s

(Continued on next page)

new performance-based approach to capacity building has given CPGs more ownership over how information about child rights and child labor is disseminated.

CHILD RIGHTS MONITORING

LICADHO also maintains a Children's Rights Monitoring Project (CRMP), which is dedicated to investigating and documenting human rights abuses against children, and to providing specialized assistance for young victims.

From January to December 2012, CRMP investigated and documented 229 new cases affecting 243 children under the age of 18 (222 girls and 21 boys). Rape and attempted rape remained the most common form of child rights violations investigated by LICADHO, accounting for 77.4% of total cases received and investigated.

MAKING GENDER EQUALITY A REALITY

On paper, men and women enjoy equal rights in Cambodia, but the situation can be much different in reality. In particular, crimes such as sexual abuse and domestic violence often go uninvestigated and unpunished, thanks to official corruption, a culture of impunity and culture of silence surrounding crimes that occur within the home. The role of LICADHO's Women's Rights Advocacy Project and Women's Rights Monitoring Project are to help bridge the gap between the law and reality by advocating for women's rights and documenting crimes against women.

During 2012, women's rights monitors investigated 224 new cases of women's rights violations, involving 226 female victims and 236 perpetrators. LICADHO documented the deaths of four women due to domestic violence, and two women who died after being raped. Domestic violence accounted for 66.1% of all cases. Of the new cases that LICADHO opened in 2012, 173 are pending and 51 cases have been resolved. Of the open cases, 124 are at the court for investigation while the rest remain with local authorities.

In 2012 LICADHO's Women's Rights Advocacy team also continued its awareness-raising activities in the three target provinces of Battambang, Banteay Meanchey and Siem Reap. The Promotion and Protection of Women's Rights project focuses on training select individuals (focal points) and local authorities to disseminate knowledge about gender-based violence (GBV).

In March, focal points successfully organized International Women's Day events in six target communes, including demonstrations, role-playing activities and question and answer sessions. Attendance at these events far exceeded expectations due to the mobilizing skills of focal points. Local authorities also expressed their support for the work of focal points. In June the district governor of Battambang's Ek Phnom district invited focal points to a meeting to discuss violence against women. There are plans to repeat this meeting on a regular basis.

A recent case study shows the value of focal points: SR (name abbreviated) currently lives with his wife, LP, and their three children in Siem Reap province. They lived a peaceful existence and were respected in their village until 2008 when SR began drinking and gambling. The couple would argue frequently; intervention from the village chief was unsuccessful.

Their life hit a new low when SR lost all his money through gambling. When his wife found out, they argued and SR hit her with a trellis. The police attempted to intervene but to no avail. The drinking, gambling and fighting continued. Things began to change thanks to a LICADHO focal point person, a specially trained volunteer trained to mediate in situations involving family strife. The focal point paid a visit to the family, and discussed how to address SR's problems.

Then, in March 2012 a local focal group organized an event in SR's village to mark International Women's Day. The event included the participation of survivors of domestic violence. Their stories touched the couple and motivated SR to change his behavior. He stopped gambling, the fighting ended and SR began to help around the house. SR, his wife and their youngest child now live and work on a potato farm near the Thai border. The other children stay at home with their grandmother. ■

(Continued)

mother that he could find a job for her as a domestic worker in Thailand. It seemed like an offer they couldn't refuse – so she didn't.

She was smuggled across the border and placed in a job that involved cooking, washing, cleaning and taking care of two small children.

The work quickly became brutal and the environment was abusive: She woke every morning at 4 or 5 a.m., and was beaten for even the smallest mistakes. After four months, she asked to leave. The employer granted her wish, but only paid her one month salary. They then sent her to work in the house of one of their relatives.

The second job was not so different from first job, and it paid less: Only 2,000 baht per month. After three months there, she left for yet another job – it too was the same, but she had difficulty leaving. Finally, after SM's mother called the employer to tell her that she needed to return to Cambodia to get married – a lie – the employer took her to the bus station.

But on the bus to the border, she met an Imam. He offered her housework in Pattaya – which she agreed to do. The pay was slightly better, but SM's homesickness did not go away. Ultimately, her final employer drove her to the border of Cambodia, where she came back home. She had been gone for nearly three years – a period she deeply regrets.

Now, with the help of LICADHO, SM is doing something to help others avoid her fate. She is a member of a Child Protection Group (CPG) in Koh Kong Province, a locally-based group of individuals actively involved in protecting children.

SM recently told her story to an audience of group members, and soon will be spreading the word to other children in her province.

"My mother did not want me to tell [my story] to other people," she said. "It's a shameful story, but I cannot keep it inside me. I wanted to tell the CPG members to know about suffering of child domestic workers, and wanted to release my stress as well and warn other children to be careful not to meet my fate."

HUMANITARIAN ASSISTANCE



Food and water ready for distribution at a LICADHO-sponsored event for International Women's Day at Phnom Penh's Correctional Center 2 in 2011.

Lending a Helping Hand

Although Cambodia is more than a decade removed from the trauma of civil war, the country still bears the scars of a post-conflict state. Poverty remains persistent, state services are underdeveloped and conflict over land rights has led to the forced resettlement of tens of thousands of Cambodians. The poor and powerless - especially those whose human rights have been violated - often have nowhere to turn for help. This is where LICADHO's assistance programs step in.

LICADHO'S SOCIAL WORK PROJECT

The core of LICADHO's assistance program is the Social Work Project (SWP), which focuses on short-term material, food and medical aid for Cambodians in need, particularly those who have been victims of human rights abuses. For every client of the SWP, the SWP team conducts needs assessments, visiting them in their homes or elsewhere to determine the level of support that LICADHO can offer.

In 2012, the SWP cooperated with partner NGOs to provide food, material, and medical assistance to 1,705 families in 32 communities, including 7,960 vulnerable individuals who were affected by land disputes. The majority of these cases were referred to SWP by other LICADHO departments. In all, the SWP opened 273 new cases of assistance in 2012, involving 1,664 individuals. The remainder of the cases were carryovers from previous years.

The SWP also provided food support to 71 inmates (including 21 females and girls) who were imprisoned due to land disputes. These individuals came from 10 different communities, including Boeung Kak and Borei Keila in Phnom Penh, and other communities in the provinces.

Since 2000, the SWP has also been referring vulnerable and at-risk children who often have been victims of rape, trafficking for sexual exploitation, child labor or abusive families/relatives to childcare centers (including Hagar, Our Home, Neavea Thmey and Krou Sar Thmey). The care centers provide long-term shelter, access to education and, in some cases, vocational training.

LICADHO's Impact

7,960

Vulnerable individuals provided with food and material assistance by LICADHO's Social Work Project during 2012

123,370

Kilograms of rice distributed by LICADHO during 2010-12 as part of a BMZ project

49,390

Liters of vegetable oil distributed by LICADHO during 2010-12 as part of the same project

1,703

Women and children vaccinated by LICADHO

The SWP also provided assistance and followed up three times with the children of the Boeung Kak residents who were imprisoned for defending their land rights in May.

SAMPLE CLIENTS OF THE SWP

- HR, female, 18: was rescued after being tortured since the age of six by her adoptive mother in Phnom Penh. She was brought to Our House Organization under the support of LICADHO. She passed her high school examination in 2012.
- KS, male, 18: was injured in a brick factory accident in Kampot, which led to the amputation of his hand in 2008. With the help of LICADHO, he has since attended school and been trained to look after children at a group home.
- SP, female, 17: her mother was victimized by acid attack in 2005 in Kandal province. She passed her high school examination in 2012 and is now pursuing a bachelor’s degree in accounting. Caritas and LICADHO’s SWP are supporting her financially.

MEDICAL PROJECT

Cambodia’s healthcare system is primitive even for those with the means to pay for services. But a lack of trained doctors and properly equipped clinics means that many Cambodians receive no care at all. LICADHO’s Medical Project attempts to bridge this gap in services.

During 2012, the Medical Project provided treatment to 192 victims of human rights violations and 8,446 victims of land dispute cases and evictions. The Medical Project also implemented measures for improving the health of communities affected by land disputes. In mid-March 2008, the medical team began cooperating with Operational District West in a campaign to provide vaccinations for evictees living in Andong and Anchanh villages. Vaccinations for tetanus, tuberculosis, diphtheria, polio, whooping cough, and measles were administered to 1,703 children and adult women.

Medical Project staff also provided medical services to prisoners and prison staff. Disease is rampant in Cambodia’s prisons, and medical care is virtually non-existent for those who do not have the means to pay for a transfer to an outside hospital. In order to improve general health conditions in prisons, the Medical Project also continued implementation of its health and hygiene program in prisons, which consists of cleaning cells and conducting anti-scabies treatments. Meanwhile, to improve the quality of food in prisons and fight malnutrition, the Medical Project has provided vegetable seeds and gardening tools to 16 prisons.

BRIDGING A CRITICAL GAP FOR LAND GRABBING VICTIMS

On June 9, 2012, LICADHO’s medical team was called to Andong village for an urgent request. A 26-year-old evictee, “Chiva” (not her real name) had slipped and fallen and suffered a miscarriage. She was now experiencing abdominal pain, genital bleeding, dizziness and headache.

Upon examination, LICADHO’s medical staff determined that Chiva needed to be hospitalized immediately. A LICADHO’ doctor made arrangements to send her to the municipal hospital. LICADHO’s medical staff discussed Chiva’s medical needs with the hospital’s doctors.

Two days later, during a follow-up visit, LICADHO’s medical staff observed that Chiva’s condition had deteriorated. After examination, LICADHO found that the nurse hadn’t provided Chiva with the correct dosage of medication. Both the quantity and regularity of the doses were wrong. LICADHO staff met privately with the nurse, and after a long discussion, the nurse realized his mistake. He apologized and promised to provide the correct dosage to the patient. Subsequently, Chiva’s health improved progressively. LICADHO continued to provide appropriate medicine, material goods, money and food. LICADHO also continued to help her when she was discharged and returned home. Today, Chiva has fully recovered. ■



Prisoners await medical examinations from LICADHO doctors at Takeo prison .

LICADHO’s Impact

7,401

Medical consultations conducted by LICADHO doctors for prisoners and prison staff

8,638

Victims of land grabbing and human rights abuses who received medical treatment from LICADHO doctors

17,742

Total number of medical consultations provided to Cambodians that they could not otherwise afford or access

PROMOTING GRASSROOTS EMPOWERMENT



Participants take part in a land-rights themed “Gangnam Style” dance in front of the National Assembly in Phnom Penh on Dec. 17, 2012. The event was designed to draw attention to the problem of forced evictions in Cambodia.

Human Rights Go ‘Gangnam Style’

In the face of a surge in land grabbing and other human rights abuses, Cambodians have grown increasingly organized in demanding their rights.

Unfortunately, recourse is not always available via official channels. The perpetrators of land grabs and human rights violations are often well-connected and operate with impunity. Recourse to the notoriously corrupt and politically obedient judiciary is rarely an option. In fact, the judiciary is often used against land grabbing victims, as in the case of the 13 female activists of the Boeung Kak Lake community.

For the average Cambodian, the only avenues that offer the prospect of success may be public protest and individual action – but this of course carries significant risks. Community leaders may be arrested, intimidated, assaulted and even killed.

This is where LICADHO has stepped in, with a program designed to provide legal assistance, protection and capacity building services to unions, grassroots groups and affected communities. Such assistance is essential in sustaining grassroots civil society movements, which came under increasing assault in 2012.

2012: CAMBODIA IN THE SPOTLIGHT

The past year saw increased international attention to Cambodia, as the country assumed its position as chair of the Association of Southeast Asian Nations (ASEAN) and hosted numerous related summits. With world leaders and international media converging on Phnom Penh, grassroots groups were eager to have their stories heard.

The most critical political meetings – the 21st ASEAN Summit and the 7th East Asia Summit – were held in November, and were attended by US President Barack Obama, Australian Prime Minister Julia Gillard and Japanese Prime Minister Yoshihiko Noda, among others. During the week prior to the summit, civil society groups from

“IHRD should be a fun and festive event – it’s a celebration of our rights, our hopes for the future and our vision for society.”

Tim Malay
President of Cambodian Youth Network

Cambodia and ASEAN gathered in Phnom Penh for a series of meetings and workshops to discuss their concerns.

LICADHO and NGO partners played a key role in supporting and assisting the participation of Cambodian and regional grassroots groups during AGPA-related activities by providing venues, protection and by lobbying world leaders to take their concerns into account during discussions with Cambodian government officials.

Unfortunately, the two civil society conferences were both met by a wave of government crackdowns, including intimidation of participants and the shutdown of numerous venues after pressure from authorities. Some 250 participants were even turned out from their guesthouses. LICADHO staff closely monitored potential human rights violations and intervened where necessary.

THE CREATIVITY TO BE HEARD

Shortly after the conclusion of the 21st ASEAN Summit, LICADHO played a leading role in co-organizing nationwide celebrations for International Human Rights Day (IHRD) as part of the “Friends of December 10” coalition.

From December 8-11, more than 40,000 Cambodians gathered in Phnom Penh and 23 provinces to mark IHRD, under the theme “We All Need Justice & Freedom!” A total of 194 events were held, and participants included community groups, trade unionists, land activists, students, farmers, fishermen, musicians, entertainment workers, tuk tuk drivers, motorcycle drivers and NGO workers.

The gatherings marked the achievements made to advance human rights in Cambodia, but also focused on critical issues still facing Cambodian citizens, particularly the exploitation of land and natural resources, labor abuses and the need for a legitimate democracy. Some 11,000 people also signed “T-shirt petitions,” expressing support for three major rights themes: land, labor, and human rights and democracy.

Finally, on December 17, hundreds of people gathered in front of the National Assembly in Phnom Penh to present the T-shirt petitions. Organizers also brought with them some 40,000 items gathered by Amnesty International – sent by supporters from Germany, France, South Korea and New Zealand –

calling for an end to forced evictions in Cambodia. The Amnesty items included signatures, postcards, drawings by children, inspiring words, thumbprints and handprints, and messages for communities, human rights defenders and activists.

The event concluded with organizers and volunteers dancing to a land-rights themed rendition of “Gangnam-style” in front of the National Assembly wearing the T-shirt petitions. LICADHO commissioned the production of a video documenting IHRD 2012 – including the dance – which is currently online.



A woman performs a land rights-themed “Gangnam Style” dance with others in front of the National Assembly in Phnom Penh on Dec. 17, 2012.



A child views a “tree” made of postcards sent in by Amnesty International members calling for an end to forced evictions in Cambodia on Dec. 17, 2012.

ADVOCATING FOR A BETTER CAMBODIA



Children celebrate the Court of Appeal's decision to order the release of the Boeung Kak Lake 13 activists in Phnom Penh on June 27, 2012.

Speaking Out and Making a Difference

Vigorous advocacy is a core component of LICADHO's approach to ensuring that human rights are respected in Cambodia. Advocacy comes in many forms - public reports, legal assistance, outreach efforts, training, and behind-the-scenes negotiation and action.

The foundation of effective advocacy is ensuring that LICADHO has access to the best available information on the human rights situation in Cambodia. LICADHO's Human Rights Monitoring Project (HRMP) serves as LICADHO's eyes and ears, the team that investigates human rights abuses, collects evidence, documents victims' stories, and intervenes with authorities on behalf of victims.

LICADHO's Advocacy and Documentation Resource Office (ADRO) then provides the technical foundation for LICADHO's extensive advocacy work. It works in cooperation with LICADHO's other offices to maintain LICADHO's database and website, produce video and audio pieces and written publications, and organize joint advocacy events. Below is a summary of activities undertaken during 2012.

ADVOCACY EVENTS

From January to December 2012, LICADHO, in cooperation with other NGOs and informal groups/networks and communities, participated in a number of key public 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. (See also the Prison Monitoring and Advocacy section of this report)
- On May 1, some 5,000 union workers and leaders gathered in Phnom Penh to celebrate International Labor Day on labor rights and working conditions. They marched from the Council for the Development of Cambodia (CDC) - in the vicinity of Wat Phnom - to the National Assembly. In Preah Sihanouk, about 500 tuk tuk

LICADHO's Impact

66,421

Unique visitors to LICADHO's Website during 2012

173,000

Approximate number of views of LICADHO video depicting Ven. Loun Sovath being detained by civilian and religious authorities outside a Phnom Penh court

8,985

Cases of human rights violations currently documented in LICADHO's database

drivers, land activists and garment workers marched to the center of Kampong Som, while others marched in Poipet to raise awareness about migration issues.

- LICADHO organized a celebration of International Children’s Day on June 1 in 14 prisons. Two prison events were held on May 29 due to scheduling conflicts. (See also the Prison Monitoring and Advocacy section of this report)

- During International World Day Against Child Labor on June 12, 2012, LICADHO cooperated with World Vision Cambodia to hold special events in Preah Sihanouk and Battambang provinces. Participants wore T-shirts with key messages on the back, such as: “I send my children to school, do you?”

- November 12-16: civil society groups from Cambodia and throughout the ASEAN region converged on Phnom Penh for a series of workshops and other activities, held under the banner of two main civil society events: the ASEAN Grassroots People’s Assembly/Solidarity for Asian People’s Advocacy (AGPA/SAPA) and the ASEAN Civil Society Conference/ASEAN People’s Forum (ACSC/APF). About 1,300-1,600 people from Cambodian and regional cross sectorial groups, NGOs, media, HR observers, and international organizations gathered at the Korean Cultural Center and marched to National Assembly to submit a joint declaration/petition on November 16. LICADHO staff observed and photographed the event. (See also the Promoting Grassroots Empowerment section of this report)

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

LICADHO’S ONLINE PRESENCE

In 2012, the LICADHO website had a total of 66,421 unique visitors (4,329 on average per month).

The past year period also saw continued refinements to LICADHO’s revamped website. The new layout continues to place more focus on content and features a scheme that is more consistent with LICADHO’s printed material. Alongside this major face lift, LICADHO continued its expanded efforts in the social media arena by creating accounts on Twitter (<http://twitter.com/licadho>) and Facebook (<http://facebook.com/licadho>) where visitors can keep an eye on our latest reports, briefs, photo albums and videos.

In addition to our material archives, a feature was added to our website in 2011 to allow visitors to use thematic links to browse the growing material present on our website. This has increased the visibility of media items (such as photo album and videos) which were previously harder to navigate to.

The integration of social media services into our website has also helped in making some of our advocacy material go “viral” online. In September 2011, LICADHO released a video documenting a savage attack by a mob of police officers against a land activist in Phnom Penh. With the help of Facebook, the video was viewed over 70,000 times.

A second video, released in May 2012, shows the abduction by authorities of the activist monk Venerable Loun Sovath. That video was viewed over 91,000 times in less than three months, and by the end of the year had been viewed over 165,000 times. This new outreach mechanism allows LICADHO to spread advocacy messages to a greater audience in and outside Cambodia.

In the last six months of 2012, LICADHO also began expanding its Khmer content online by offering a Khmer portal to its website, in addition to the English site.

Finally, at the end of 2012, LICADHO began systematically producing audio clips for all media statements. This is an exciting development, as Khmer-speaking visitors to LICADHO’s website have long shown high interest in audio materials. LICADHO’s online audio section, which was previously reached only via a small link the very bottom of our pages, was already surprisingly popular. The increase in audio production and the higher visibility of those clips will dramatically increase the reach of LICADHO’s advocacy materials.

Major publications (2012)



- **Briefing Paper:** In Absentia 2012: An Update on Cambodia’s Inmate Transportation Crisis & The Right to Appeal (April 2012)

- **Briefing Paper:** Comments and Recommendations on the Inter-Ministerial Prakas on the Prohibition of Using Prison Labor for Producing Export Goods (May 2012)

- **Briefing Paper:** Beyond Capacity 2012: A Progress Report on Cambodia’s Exploding Prison Population (July 2012)

- **Briefing Paper:** Cambodia’s Draft Law on the Management and Use of Agricultural Land (July 2012)

- **Briefing Paper:** The Mam Sonando Case Explained (August 2012)

- **Report:** Attacks & Threats Against Human Rights Defenders in Cambodia 2010-2012 (December 2012)

For full list of publications see Appendix 1.

DATABASE

Currently, 8,985 case files on human rights violations are stored in LICADHO's central database. In 2012, the ADRO team inserted 1,019 new cases into the central database and translated 98 monitoring cases from Khmer to English.

Throughout the reporting period numerous upgrades to the central database were made to ensure the database maintained its efficiency and effectiveness as both a storage device and analytical tool.

The database of perpetrators is continually being updated. The database compiles statistics, allows for the identification of trends, and aids in the overall analysis of cases involving human rights violation. 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.

FLIP CAMERA PROJECT

LICADHO has boosted its advocacy capacities with the assistance of partner NGO WITNESS (www.witness.org). In 2007, WITNESS provided LICADHO with 74 hand-held FLIP cameras for use by community activists to film and document cases of human rights abuses (mostly land evictions).

ADRO edits video footage taken by either LICADHO staff or community activists and releases it to the public, giving grassroots activists an international voice. Every two weeks, ADRO staff follow up with community activists to get information about what they have been filming and to explain the type of footage that LICADHO needs. ■

Publications: An Overview

During 2012, ADRO produced and published:

- 9 advocacy videos
- 28 press releases
- 1 news article
- 2 flash news updates
- 6 briefing papers
- 2 photo albums
- 1 report
- 12 monthly audio news podcasts in Khmer

LICADHO also distributed a total of 1,944 reports, 1,107 in Khmer, and 837 in English, and a total of 171 CD/DVD in Khmer/English.

In December, with the publication of the report "Attacks & Threats Against Human Rights Defenders in Cambodia 2010-12," LICADHO began a gradual rollout of a new design for its printed materials. The evolution continues with this annual report.



Union members march on the streets of Phnom Penh to celebrate International Labor Day, May 1, 2012.

