World Press Freedom Day - 21st century media: New frontiers and old barriers for freedom of expression in Cambodia

Introduction

In an age of connectivity, new forms of media have proven to be an effective tool in disseminating information and organizing groups in their quest for the realization of human rights and the promotion of democracy. Examining recent developments around the world, new media – defined as the digitalization of information – has fostered dynamic change and opened the doors to new channels of internal dialogue between the governed and their governments. In closed societies like Cambodia where freedom of expression and press is traditionally strictly controlled by the Royal Government of Cambodia (“RGC”), the growth of new media and access to online information, open up new frontiers and provide new opportunities to individuals and organizations who work to promote and protect human rights and democracy.

Non-government organizations (“NGOs”) and other civil society groups are increasingly embracing new ways of disseminating and sharing information about human rights and issues that are often viewed as politically sensitive by the RGC. The theme of this year’s International World Press Freedom Day is “21st Century Media: New Frontiers, New Barriers”. In a slight variation on that theme, this briefing note will consider the new frontiers provided to NGOs and others via the internet and examine how old barriers, used by the RGC to control traditional media, are slowly finding their way online.

New Frontiers: The new digital democracy

In Cambodia, as in other countries, the internet represents an essential medium through which citizens can share information and opinions on issues that directly affect them. Press freedom in Cambodia has, according to Freedom House, gradually declined from “partly free” in 2008 to “no freedom” in 2009 and 2010 respectively,1 while the most recent Press Freedom Index by Reporters Without Borders ranks Cambodia 128th among 178 countries. In this restrictive environment, the internet is emerging as the new “digital democracy” in the country.2 A number of websites and blogs have emerged which share news and information on important social issues and, through comments functions, provide an outlet for ordinary people to share their opinions on issues. Increasing numbers of young people in Cambodia, both male and female, are embracing the internet and online activism is

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1See http://www.freedomhouse.org/template.cfm?page=533.
increasing with a burgeoning number of ‘cloggers’ (Cambodian bloggers) disseminating views on important social and political issues.

Social media – particularly websites like Facebook and Twitter – are fast becoming an integral communication tool for NGOs to disseminate information pertaining to human rights. These sites provide avenues through which organizations like CCHR and the Cambodian League for the Promotion and Defense of Human Rights (“LICADHO”) can share information about their activities in addition to that already hosted and disseminated through their websites. Furthermore, the CCHR hosted Cambodian Human Rights Portal www.sithi.org is a “one-stop shop” database for individuals and organizations researching the situation of human rights in the Kingdom. On 13 February 2011, sithi – which means rights in Khmer – recorded its one hundred thousandth visitor since going online in 2009.

These emerging trends – with individuals and organizations alike embracing and utilizing new media – represent positive developments in Cambodia; firstly, they promote gender equality as many female internet users participate in online chats, social networks and blogs; secondly, access to news sources enables people to increase their knowledge of important issues and thirdly, it increases people’s awareness of global development and makes them better equipped to accept or criticize changes in the country and the ways in which it is governed.

Old Barriers: Control and Punish

As noted above, Cambodia has a poor freedom of expression record. Politicians past and present have sought to intimidate and suppress critics rather than respond with reasoned arguments. Insofar as traditional forms of media – television, radio stations and printed publications – are concerned, Cambodia appears to be pluralistic. However, the RGC exercises tight control with print media and the television airwaves largely being in the hands of the government and its allies while steps are taken to ensure that the political opposition has limited opportunities to share their views with the populace.

The second strategy in the RGC’s efforts to curtail freedom of expression has been to punish those who use traditional media to share views that run counter to those of the RGC. These punishments – generally handed down by the judiciary – operate as a disincentive to individuals and organizations who wish to express views, however constructive, that the RGC consider as detrimental to their standing in the eyes of the domestic and/or international audiences. Since the last general election in 2008, the RGC has embarked on an apparent legislative agenda to increase the legislative arsenal available to the judiciary in its pursuit of government critics. The new Penal Code contains nine provisions which criminalize various forms of expression while forthcoming laws that regulate NGOs and unions threaten to severely undermine the freedoms of association and expression.

The success of the RGC’s policy of controlling and punishing expression through traditional media had many people look to the internet for hope as a medium through which criticisms

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and opinions could be shared. The absence of any restrictions of online expression was such that one well known “clogger”, Chak Sopheap, described the internet in late 2009 as Cambodia’s “new digital democracy”. Indeed, despite its poor freedom of expression record, the RGC has not sought to censor online content and space to any degree commensurate to several of its neighbours in South East Asia. There is currently no regulatory regime in place online in Cambodia and in 2010, the RGC reportedly shelved plans to channel all traffic through a single state-owned internet hub, thereby avoiding a potential censorship situation like the “Great Firewall of China”.

Recent blockings of controversial news blog sites such as KI-Media and Khmerization suggest that the tide may be turning insofar as freedom of the internet in Cambodia is concerned. A December 2010 order by the Ministry of Post and Telecommunications to ISP service providers to block certain popular anti-government websites confirmed that the absence of online restrictions had less to do with a newfound appreciation on the part of RGC for the right to freedom of expression than it had with technical knowhow. On 14 February 2011, *The Phnom Penh Post* reported that users of WiCam ISP server who attempted to access KI-Media received a message stating that the site had been “blocked as ordered by the Ministry of Post and Telecommunications of Cambodia”. The article cited an anonymous source within WiCam who confirmed that the block had been ordered by the Ministry of Posts and Telecommunications on the grounds that KI-Media “impacts the government”. It was further reported in the press that the deputy director of the Directorate of Telecommunications Policy Regulation at the Ministry of Posts and Telecommunications, wrote an e-mail to 10 local ISP service providers to thank them for their efforts to block a number of popular anti-governmental websites. The move to block these websites is reflective of the inability of the government to accept any criticism, however constructive, and heralds the extension of government censorship to the internet. The reported blocking confirms the RGC’s commitment to controlling online content in much the same manner in which it controls traditional media.

In addition, the December arrest and conviction of Seng Kunnaka, an employee with the UN Food Program in Phnom Penh who had printed articles from KI-Media and shared them with a handful of colleagues, indicates that the RGC is equally ready to start punishing those who use the internet to share views contrary to those of the RGC. As with its punishment of those who express opinions through traditional media, it is assumed that this conviction was intended much less as retribution than as a deterrent, a message to all Cambodians as to the potential cost of using the internet to express views that conflict with those of the RGC.

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What next – new frontiers or old barriers?

The fate of new media in the coming years and the extent to which freedom of expression online will be curtailed in much the same way as it is through traditional platforms is unknown. Whilst generally speaking there has been relative freedom in engaging with new media, particularly in relation to online sources like Facebook and blogging, the recent blocking of blogspots has raised serious concerns that censorship of the internet will soon become a reality in Cambodia. As recent events across the globe have shown, new media has proven to be a dynamic force for positive change, in many instances exhibiting remarkable resilience in the face of state censorship. As Cambodia stands at a crossroads in terms of how the government will respond to the opinion exercised through media, it is fundamental that the RGC recognizes that it is only by joining the online dialogue and by responding to criticisms with reasoned argument that it can hope to respond to and address the criticism it seeks to suppress.¹⁰

On this World Press Freedom Day 2011, CCHR calls on the RGC to reject the internet censorship policies it seemingly appears to be adopting and ensure that old barriers are not applied to new frontiers. We encourage Cambodia’s internet users and new media innovators to continue to use and open up new areas of media to allow for debate and discussion and hope that the RGC will join the online dialogue.