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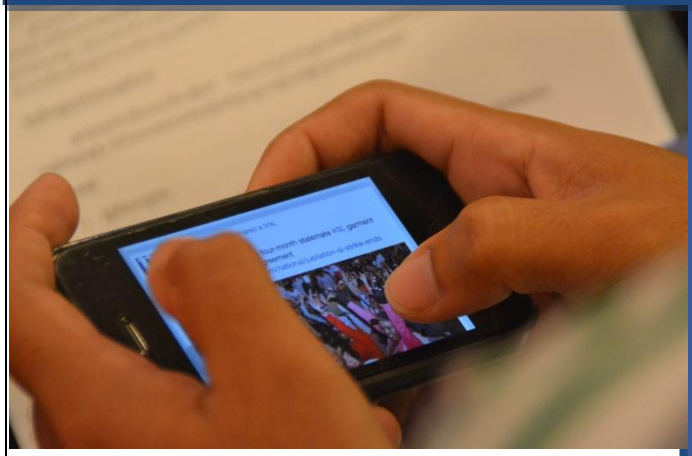
Cambodian Center for Human Rights

December 2013

Policy Brief: Freedom of Expression in the Kingdom



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Queries and Feedback

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The Cambodian Center for Human Rights

The Cambodian Center for Human Rights ("CCHR") is a non-aligned, independent, non-governmental organization ("NGO") that works to promote and protect democracy and respect for human rights - primarily civil and political rights - throughout the Kingdom of Cambodia ("Cambodia"). CCHR's vision is of a non-violent Cambodia in which people can enjoy their fundamental human rights, are empowered to participate in democracy, and share equally the benefits of Cambodia's economic development. CCHR promotes the rule of law over impunity, strong institutions over strong men, and a pluralistic society in which variety is welcomed and celebrated rather than ignored and punished. CCHR's logo - a dove flying in a circle of blue sky - represents the twin principles of peace and freedom.

This Policy Brief - Freedom of Expression in Cambodia (the "Policy Brief") - is an output of CCHR's Cambodian Freedom of Expression Project (the "Project"). The Project aims to instigate legislative, structural and policy changes in order to improve freedom of expression in Cambodia and is generously supported by the European Union and the British Embassy.

Acknowledgements

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Executive Summary

This Policy Brief summarizes the results from six RTDs organized over a two-year period by the Project. It concludes with recommendations directed at the Royal Government of Cambodia (the "RGC") for the improvement of the situation of free expression in Cambodia.

The right to freedom of expression is a cornerstone of any functioning democracy. Without the right to seek and impart information, to hold opinions and to engage in debate, citizens cannot meaningfully participate in the political lives of their nations. In Cambodia's fledgling democracy, the state of freedom of expression is worryingly fragile. Up-to-date and first-hand information from those who are directly affected by restrictions to freedom of expression in their everyday lives is essential not just for developing knowledge of the practical realities but as a tool for change.

The Project regularly works with members of NGOs, target beneficiary groups and RGC officials in order to promote and bring about improvement in the situation of freedom of expression in Cambodia. The results of the six RTDs form the content of this Policy Brief and such discussions are integral to the Projects' work. The RTDs gather together diverse target groups such as bloggers, social media users, civil society organizations ("CSOs"), journalists, human rights defenders ("HRDs") and freedom of expression advocates to discuss the situation of freedom of expression, with each target group contributing their own unique set of perspectives and experiences.[1]

The Policy Brief will discuss in detail the topics covered by participants in each of the RTDs and will outline all the recommendations made by participants for the improvement of the situation of freedom of expression in relation to their particular subject area.

[1] Please see the annex below for information on the dates, locations, topics and participants of each RTD.

Key Recommendations:

The combined **key recommendations** to the RGC from all the RTDs are as follows:

- ✓ Ensure that any restrictions imposed on online content are exceptional measures which meet international legal standards, i.e. (1) are provided for by law; (2) pursue one of the purposes set out in Article 19(3) of the International Covenant on Civil and Political Rights (the "ICCPR"); and (3) are proven necessary and the least restrictive means required to achieve the purported aim;
- ✓ Draft and adopt a freedom of information law guaranteeing access to information both for media and the public and the law should be drafted in line with the principle of maximum disclosure;
- ✓ Redraft vague and restrictive provisions of the Press Law 1995 (specifically Articles 11, 12 and 14) in order that they contain clear, unambiguous, defined terms and leave no scope for abuse;
- ✓ Decriminalize defamation and ensure that custodial sentences are not used as penalties for defamation and related crimes; and
- ✓ Ensure that local authorities at all levels carry out their work in respect of the law, fulfill their duty to serve the Cambodian people and cease all activities that intimidate or harass community activists or aim to prevent them from protecting their rights.

Bloggers on internet freedom

Self-censorship

CCHR found that self-censorship among bloggers is worryingly prominent. Most participants admitted that they feel afraid when they write or post something online related to politics, the RGC or the rich and powerful. After posting, the bloggers worry about their security and that of their families.

The most common and concerning causes of self-censorship included the perceived possibility of arrest, the possibility of being charged with defamation, the distrust of the justice system and the lack of available protection mechanisms for bloggers. Many participants also indicated that the assassinations of those who have spoken out or criticized the RGC in the past lead them to self-censor. It is apparent that the practice of self-censorship has been prevalent in Cambodia for some time, with bloggers choosing to write about topics that are considered to be non-sensitive issues in order to stay out of trouble. Many bloggers noted that they tone down their writing and do not say everything they want out of fear of being prosecuted.

Friends and family of the bloggers, and even some readers, were also said to encourage self-censorship. One political blogger received a warning email from a Cambodian living abroad saying that he should not write about politics because the situation in Cambodia was not safe enough to do so. Another blogger was told by her father that he would sever her internet connection if she continued to criticize Prime Minister Hun Sen or the RGC online since he was worried about what might happen to her if she continued to write such things. Another blogger was warned by his friends to be careful after he wrote a political article on his blog and asked Ki Media to re-post it.[2]

Some bloggers feel free to write about the political situation in Cambodia while they are not living in the country. However, this feeling of freedom seems to

[2] Ki Media is a Cambodian 'blogspot' which posts articles and news stories concerning the political and human rights situation in the Kingdom. It is often subject to blocking (see below). Please visit http://ki-media.blogspot.com/.

disippate when they return to live in Cambodia. For example, one blogger felt able to write freely about the political situation in Cambodia while he was living and studying in Vietnam since he believed that he could not be traced. When the man returned to Cambodia after completing his studies, he significantly reduced his online political posts.

It was commonly felt that any article that might criticize the rich and powerful should not be widely publicized. Despite the huge increase in the use of such sites as Twitter and Facebook - especially surrounding the July 2013 elections - social media users often feel too frightened to comment on political issues or to criticize the authorities because they fear that they will be left defenseless should the authorities press charges against them. There have been two cases to date where members of the public have been targeted and threatened with defamation charges as a result of legitimately criticizing RGC institutions via Facebook.[3]

> Bloggers feel that they have nowhere to turn if they are prosecuted by the authorities for their political posts.

Limited access: blocking

The blocking of Ki Media — a website critical of the RGC — was also discussed by RTD participants. It was noted that some Internet Service Providers ("ISPs") such as Metfone, Ezecom and Online had blocked access not just to Ki Media but to a list of websites including Khmerization and Sacrava, all of which are well known for propagating information critical of the RGC. This was done on the alleged instructions of the Ministry of Post and Telecommunication (the "MPTC"). It was

[3] The first is Phel Phearun, a teacher who was summoned and threated with defamation charges because of criticizing the police in February 2013. For more information see CCHR, 'Case Study: Phel Phearun' (Factsheet) (March 2013), available at: http://www.cchrcambodia.org/index_old.php?url=media/media.php&p=factsheet_detail.php&fsid=54&id=5.The second is Cheth Sovichea who in November 2013 was arrested for a post that was critical of the police. He too was threatened with defamation charges. For more information see Lieng Sarith, 'Facebook user busted over posts', The Phnom Penh Post (20 November 2013), available at: http://www.phnompenhpost.com/national/facebook-user-busted-over-posts.

interesting to note that other ISPs such as Mekong Net, Angkor Net and Cellcard did not block these sites.

Many participants during the discussion admitted that the content of Ki Media comments is often crude, however they agreed that the blocking of the site is a violation of freedom of expression, regardless of how they feel about its content. Participants voiced concern about the culture of blocking websites, particularly noting that the blocking of one website may be a slippery slope towards the blocking of many others that are considered to be anti-RGC or critical of members of the powerful Cambodian elite. The participants felt that the presumption should be in favor of these websites to freely disseminate information with any restrictions being very limited in their scope.

Internet access in Cambodia is concentrated in urban areas. Consequently, those who live in rural areas have little or no access due to poor infrastructure and high prices. Participants believed that internet penetration needs to be increased in Cambodia to allow all citizens to access the internet and express themselves online.

Internet regulation

Currently there is no law specifically regulating the internet in Cambodia and it is widely considered to be the freest form of media in the country.

In November 2012, the MPTC issued a circular ostensibly to regulate access to internet cafes, which, had it been implemented, would have resulted in the closure of almost all such establishments in Phnom Penh.[4] It ordered the closure of internet cafes located close to schools or other educational institutions in order to prevent students from playing online games and accessing pornography. The participants said that the circular did not provide any solutions to these problems and only infringed the rights of people who use the internet for other purposes. They also mentioned that, in general, the procedure by which legislation is drafted is very secretive and that information on laws under consideration is rarely communicated to the public.

[4] This has since been reversed. Please see Phorn Bopha and Joshua Wilwohl, 'Telecommunications Minister Assures Internet Cafes' Futures', The Cambodia Daily (21 December 2012) available at: http://www.cambodiadaily.com/archive/telecommunications-minister-assures-internet-cafes-futures-6801/.

Additionally, it was mentioned that there is no process to collect the comments and concerns of stakeholders and target groups who may be affected by the proposed legislation. “Internet users” does not only include bloggers but also other groups such as information technology engineers, online businesses, website owners, social media users and casual users — the legislation will affect all of these people and therefore they should all be given a chance to provide input on the draft law.

Some participants felt that internet regulation would offer them more protection, as the law would set out the scope of internet control and codify the limited circumstances in which a site could be blocked. However, these participants noted that this would only be possible if the law was balanced and drafted in accordance with the very limited circumstances in which restrictions of freedom of expression can be imposed under international law. They also noted that if such a law was to be drafted then it should be done so with consultation from CSOs and other relevant stakeholders in order to protect freedom of expression.

On the other hand, some participants said that there should be no law regulating the internet, fearing that the law may be exploited in the way that critics predict the draft Law on Associations and Non-Governmental Organizations (the “LANGO”) will be – creating a more stringent environment for internet users rather than benefiting them.

Recommendations:

The United Nations considers access to the internet to be a fundamental human right. In order to improve access to and ensure the freedom of the internet, **the RGC should**:

- ✓ Establish a working group to determine a policy to ensure that Cambodians have full access to the internet both in terms of physical and technical infrastructure, but also in terms of internet content;
- ✓ Implement a workable policy to increase internet access for Cambodians in rural areas all with improved infrastructure and lower prices;
- ✓ Release the draft Cyber Crimes Law to the public and initiate an open consultation on the scope and content of the law and carefully consider any submissions made during this consultation process; for example, the RGC should pay due attention to concerns expressed about the definition of any criminal offences created under the new law, as well as the penalties for such offences;
- ✓ Seek input from stakeholders and CSOs when drafting any legislation concerning internet freedom and make draft laws available for consultation;
- ✓ Ensure that any restrictions imposed on online content are exceptional measures which meet international standards, i.e. (1) they must be provided for by law; (2) they must pursue one of the purposes set out in Article 19(3) of the ICCPR; and (3) they must be proven necessary and the least restrictive means required to achieve the purported aim;
- ✓ Ensure that website blocking will only be used in very limited and exceptional circumstances (the presumption must always be in favour of keeping a site up and running) in line with international law and standards as outlined above, and only following a judicial determination;
- ✓ Cease to hold ISPs liable for refusing requests to block sites that infringe the right to freedom of expression - any request submitted to ISPs to prevent access to certain content should only be done through an order by a court which is independent of any political, commercial or other unwarranted influences;
- ✓ Establish a working group to properly investigate and analyse website content prior to prosecution or blocking requests;

- ✓ Ensure that the owner of any blocked site has the right to appeal the decision; and
- ✓ Establish an open a forum or national congress for internet users in order to let civil society, human rights activists, bloggers, individuals who work with new media, ISPs and programmers discuss their needs and raise their concerns with the RGC.

Bloggers themselves should:

- ✓ Be professional and responsible in their blogging and only write articles using clear and accurate information.

Journalists on media freedom

Economic pressures

It became apparent that financial pressure on journalists has a significant impact on free expression in traditional media. Journalists often receive very low salaries resulting in a lack of professionalism and a poor code of ethics, especially among those working in local media organizations. Low levels of pay often lead to journalists accepting bribes from those wishing to build or protect a reputation. Fears were raised that this practice of bribery could result in a lack of public trust in the media and reporters. This would in turn mean that the public would be reluctant to talk to the media, which would stifle free expression. It was also noted that the level of fines stipulated in the Press Law 1995 (the "Press Law") was too high in comparison with journalists' salaries.

> Low salaries amongst journalists lead to low levels of professionalism and ethics. Journalists often accept bribes from people wishing to protect reputations, leading to widespread public mistrust of journalism.

There are also financial pressures on the media agencies themselves. Many participants explained how a small number of large and poweful television news channels were stifling competition. News channels, they explained, depend on advertising for profit. According to the participants, the majority of businesses only wished to advertise on the small number of large television news channels which effectively cuts the small independent news channels out of the market. These all-powerful news agencies have been able to expand dramatically due to the lack of rules regulating cross-ownership and indirect state-ownership. This results in the rich and powerful being able to control a vast network of news agencies involved in all types of media, such as newspapers, television and radio. It also allows large sections of Cambodia's media to be controlled by members of the ruling political party. Among other problems, this enables a small number of ideological and political monopolies to dominate the media landscape – a significant limitation on freedom of expression.

Financial difficulties facing new agencies could mean that serving the public interest and free expression become secondary to winning lucrative advertising contracts.

It was also noted that if television news agencies were perceived as supporting the opposition party then they would often lose their existing advertising contracts or appear unattractive to potential clients. This is because the businesses seeking advertising do not want to be viewed as anti-government.

Some participants also expressed concern that financial pressures on media agencies and outlets would impact on the quality of their work. Reporters' work, they explained, would become a tool for securing advertising contracts – ensuring favorable coverage of particular organizations in order to win their business. Freedom of expression and serving the public interest would be secondary concerns.

Capacity building

Cambodia has only one school that provides formal education for media professionals — the Department of Media and Communication at the Royal University of Phnom Penh. This shortage of professional education in the media sector has resulted in a general lack of professionalism within the industry. It also means that many journalists lack the training and skills required to carry out their tasks effectively. This problem is compounded by the reluctance of media agencies to invest in capacity building training for their journalists. Many participants agreed that the media institutions routinely refused to send employees for further skills training. Both of these issues contribute to the generally poor standard of reporting.

Access to information

Many participants remarked that accessing government information has improved significantly over the past 10 to 15 years. In the past, they often experienced difficulty when requesting information from government officials and were often met with abusive language and threatening behavior. Many reported that

government officials currently treat media workers with more respect and politely reject questions that they do not wish to answer. Participants reported that the development of government websites has also improved access to information for journalists.

Nevertheless, the participants were concerned that the right to access information is not yet guaranteed by a specific freedom of information law and it was reported that many journalists still face difficulty in gaining access to government documents or getting quotes from RGC officials. Some participants told of instances where RGC officials would specifically select particular journalists and prevent them from attending certain events organized by the officials such as press conferences.

Some government ministries and other state institutions currently have a specially appointed spokesperson to deal with questions and information requests from reporters. Many CSOs, including the Cambodian Club of Journalists (the "CCJ"), have been encouraging all government ministries to appoint a spokesperson and to provide them with adequate training and information. It is a promising development that several government ministries have sent media officers to attend training sessions organized by the CCJ or by the Ministry of Information (the "MOI"). While this is very encouraging, several ministries remain reluctant to appoint a spokesperson. Furthermore, some ministries' spokespersons are ill-trained and ill-informed and the information supplied is often vague or incorrect.

Several participants commented on the lack of cooperation between government institutions and journalists. Many explained that RGC officials are often extremely slow in responding to journalists' enquiries. Under Article 5 of the Press Law, officials have up to 30 days to respond to journalists' formal written enquiries. This 30 day time frame is too long and is completely impractical for journalists working to the deadlines of a daily newspaper. Yet even without the 30 day time frame, many participants believed that RGC officials frequently withhold information which they feel is too sensitive or would result in personal political embarrassment.

Journalists' safety

Participants made it clear that they felt unable to write freely about the RGC or those connected with the RGC due to fear of potential harassment, threats and violence. One participant remarked that he had received many hundreds of death threats in his 20 years' experience as a journalist. It was reported that self-censorship among journalists was becoming increasingly common as a result.

Journalists with Cambodian news agencies regularly feel unprotected.

It was also apparent that journalists who work for Cambodian news agencies frequently feel unsafe when they are carrying out their work, while those who work for foreign news agencies feel that there are enough resources to help support staff when they face problems or are threatened.

Legal framework

Participant's generally felt that although their right to freedom of expression is guaranteed under Article 41 of the Constitution of the Kingdom of Cambodia (the "Constitution"), they cannot fully enjoy this right in reality.

Many participants voiced concern over the frequent use of legal action against journalists for offences such as defamation, misinformation and interference in the private life of others. They also expressed concern that the courts frequently convict journalists under the Cambodian Criminal Code 2009 (the "Penal Code") rather than the Press Law.

Recommendations

The RGC should:

- ✓ Draft and adopt a freedom of information law as soon as possible (within two years in any case). It should guarantee access to information both for media and the public and should be drafted in line with the principle of maximum disclosure;
- ✓ Consult with media experts and CSOs when drafting the law in order to ensure that it is effective and balanced;
- ✓ Review the Press Law provisions on fines and lower these fines;
- ✓ Redraft the provisions of the Press Law (specifically Articles 11, 12 and 14) in order that they contain clear, unambiguous, defined terms and leave no scope for abuse;
- ✓ Decriminalize defamation and incitement and ensure that no prison sentences are enforced for defamation and related crimes;
- ✓ Establish both state and private institutions to provide training for media professionals;
- ✓ Provide scholarships for media courses for 200 to 300 students per year;
- ✓ Ensure that the judiciary apply the Press Law to offences related to journalism rather than the Penal Code;
- ✓ Ensure that each ministry and state institution has its own trained and well informed spokesperson in order to deal with enquiries from the public and the press;
- ✓ Encourage independent media outlets to establish new stations and increase broadcasts in rural areas;
- ✓ Cease to interfere with the content of independent media broadcasting; and
- ✓ Review and encourage appropriate changes to media salaries, especially concerning the minimum wage for journalists.

The Cambodian media community should:

- ✓ Develop a code of conduct for journalists/reporters/media outlets to guide their work and to ensure higher standards of journalism in Cambodia;
- ✓ Do their utmost to protect journalists from arbitrary charges of defamation or disinformation; and
- ✓ Build the capacity of their journalists and strengthen professionalism through increased wages, better training and emphasis on responsible reporting.

Free expression advocates on the right to free expression of HRDs, activists and advocates

Community representatives and HRDs

Many participants raised concerns about the frequent use of violence by the authorities to suppress organized protests and crack down on peaceful assembly. Many youths who hold independent political views explained that they had been threatened and restricted from participating in any political activism, both inside and outside of their universities. Participants agreed that most television, radio and newspaper outlets reported news with no balance; it was commonly felt that most outlets discuss only the positive actions of the RGC.

Participants expressed concern that many independent unions and organizations were prevented from legally registering, which restricts their activities. It was generally agreed that the judiciary is not independent and is regularly used as a political tool to threaten and intimidate land activists, union members/leaders and other associations.

Lawyers

Participants agreed that legal practitioners often face restrictions to their freedom of expression. For example when lawyers attempt to publicize legal analyses of their cases through the media in order to call for fair trial for their clients, they are threatened and intimidated. Many explained that if lawyers represent clients who are charged for being critical of the RGC, the lawyers themselves often become targets.

It was agreed that human rights lawyers faced a lot of problems in carrying out their work. These problems include delays and interruptions when they attempt to receive case files from the prosecution prior to questioning their clients. They also explained that many lawyers are frequently denied the opportunity to review prosecution evidence before it is introduced at trial. They also felt unduly restricted from publicizing their cases in the media and were unable to publish their

advice or analyses of legal issues and legislation or court verdicts.[5] A member of the Bar Association of the Kingdom of Cambodia ("BAKC"), who was present at the follow up dialogue between civil society and the RGC on 13 December 2012[6] responded that if there is any evidence to show that the judge prevented lawyers from accessing court documents then lawyers are welcome to file a complaint to the BAKC so that the BAKC can take action on the case.

Many participants explained that lawyers are frequently fearful of defending clients in political cases, especially cases concerning land rights where powerful figures were implicated in wrongdoing. Many lawyers exposed themselves to bogus criminal charges by taking on such cases – for example, when representing communities affected by land rights violations, many lawyers are charged with incitement as a result.

NGO workers

Many of these participants explained that their work was continually restricted and interrupted by the authorities, especially when it involved legal training for communities.

[5] Previously under Article 15 of the Code of Ethics for Lawyers, "all public or media activities by the lawyer in his or her capacity [as a lawyer] are prohibited unless in strict conformity with professional obligations. Such activities require the greatest prudence. The President must be informed and, unless impossible, consulted prior to the activities." However this was amended in 2012 and now the new Article 17 does not require that lawyers get permission before speaking to the media but just uphold professionalism. Nevertheless, the BAKC sent a letter to members on 23 January 2013 claiming that it would take legal action against lawyers who damaged the reputation of the BAKC through public dissemination of information. For more information see CCHR's Joint Statement, 'The Bar Association of the Kingdom of Cambodia Must Not Infringe Lawyers' Freedom of Speech' (22 February 2013) <http://www.cchrcambodia.org/media/files/press_release/358_jsobmiwtl02_en.pdf> Two other overly restrictive offences concerning commentary on judicial decisions include Articles 522 and 523 of the Penal Code.

[6] This dialogue was organized by CCHR at the Imperial Hotel, Phnom Penh on 13 December 2012 in order to use feedback collected at the RTDs to lobby RGC representatives.

Recommendations:

The RGC should:

- ✓ Refrain from monitoring and restricting the activities conducted by HRDs and NGOs;
- ✓ Stop using the judicial system as a tool to threaten and intimidate HRDs;
- ✓ Ensure that local authorities at all levels carry out their work in respect of the law, fulfill their duty to serve the Cambodian people and stop all activities that intimidate or harass community activists or aim to prevent them from protecting their rights;
- ✓ Strengthen the codes of conduct and accountability mechanisms of the authorities and punish those who violate the right to freedom of expression; and
- ✓ Provide training to public authority employees on human rights and freedom of expression issues.

The Judiciary should:

- ✓ Act independently and in accordance with international fair trial standards and legal principles; and
- ✓ Ensure the correct interpretation of laws in line with international human rights standards.

Other citizens on freedom of expression

Students

Many participants reported that restrictions from local authorities, powerful people, family members and educational institutions prevent the majority of youths from expressing themselves.

It was reported that management teams always restrict freedom of expression within universities, and most universities do not allow teachers or students to openly discuss political issues. They are prohibited from discussing topical issues such as land disputes as these are deemed to be too politically sensitive. Many participants explained that gatherings of students inside the university campus are invariably monitored or prevented because the management teams are afraid that the students will discuss political issues.

Most universities do not allow teachers or students to discuss political issues.

Workers

The freedom of expression of workers is tightly restricted. The workers' right to peacefully assemble is often denied, especially when they wish to participate in peaceful protests related to labor disputes and demands for equal or better treatment from their employers.

Defendants and witnesses

Many participants reported that defendants and witnesses in criminal cases are frequently denied their right to freedom of expression. Suspects are often presumed guilty while witnesses for the defense are routinely denied the right to give the evidence that they wish to give and are forced by the prosecution to restrict their testimony.

Indigenous people, women and government officials

Participants agreed that the authorities routinely discriminate against members of indigenous communities and any request, complaint or expression of opinion made by them is generally ignored. It was agreed that government officials also suffer from a lack of freedom of expression since they refrain from speaking out on sensitive issues for fear of losing their position. It was also generally agreed that women still suffer restrictions on their right to freedom of expression and that this was mostly due to attitudes within society and within the family unit.

Recommendations:

The RGC should:

- ✓ Ensure the effective interpretation and application of laws, especially the law on peaceful demonstration. In particular, such a law should clearly define protest locations – the rules concerning the use of Freedom Parks should be clarified (i.e. they are not the only possible places to hold peaceful protests) and the maximum number of attendees at Freedom Parks should be raised (it is now at 200 people);
- ✓ Ensure that the national school curriculum includes programs that focus on the use of technology and the ability to express political opinions as well as making students aware of their inalienable rights under the Constitution;
- ✓ Ensure that all state and private educational institutions operate in an open and liberal environment where teachers and students are encouraged to exercise their freedom of expression;
- ✓ Encourage government officials to disclose any (true) information and substantial irregularities which are of public interest; and
- ✓ Ensure that requests and complaints from members of indigenous communities are given serious consideration by the relevant authorities.

Conclusion

Overall the RTDs held by CCHR throughout the Project period have been extremely successful in shedding light on the unnecessary restrictions placed on the right to free expression and the challenges to the right faced by participants from many different sectors of society and walks of life. The recommendations herein come directly from those most affected by restrictions on the right to free expression and were delivered in an environment conducive to free and unhindered speech. The RGC and other stakeholders should therefore take these recommendations into consideration going forward.

It is true that progress has been made recently in relation to freedom of expression and opinion in Cambodia and that the heavily contested results of the national election in July 2013, indicating huge gains for the political opposition, give reason to be hopeful for the future. Internet penetration has also come on in leaps and bounds, meaning that for the first time Cambodians have access to free and uncensored news and debate online. The RGC should harness this progress and implement the recommendations above in order to honor its international and constitutional human rights commitments and to uphold democracy in Cambodia.

Annex: RTDs

First roundtable discussion

The RTD was held between several Cambodian bloggers in order to discuss freedom of expression on the internet. Three specific issues were raised for discussion; blocking of internet websites, regulation of the internet and self-censorship among bloggers.

- Date: 18 December 2011
- Location: Royal University of Phnom Penh, Phnom Penh
- Participants: 40 bloggers

Second roundtable discussion

This RTD was held between several members of the Club of Cambodian Journalists. The focus of the discussion was on freedom of expression and traditional media. Four specific issues were raised for discussion; media ownership, the traditional media legal framework, freedom of information and defamation.

- Date: 31 January 2012
- Location: Tonle Bassac Restaurant, Phnom Penh
- Participants: 30 newspaper, television and radio reporters

Third roundtable discussion

This RTD gathered together freedom of expression advocates including members of various organizations including unions, NGOs and youth networks. The discussion focused on various issues such as freedom of expression and the law and freedom of information.

- Date: 21 February 2012

- Location: East and West Cuisine, Phnom Penh
- Participants: 30 union, NGO and youth network members

Fourth roundtable discussion

This RTD was held between several HRDs of three categories; community activists, journalists/media professionals and lawyers. Each group discussed the issues that occur frequently in their area of work. Specific issues raised included the targeting of campaign activities by the authorities, intimidation of and threats against HRDs, the judiciary being used to restrict the right to free expression and the lack of access to information generally.

- Date: 18 September 2012
- Location: Imperial Garden Hotel, Phnom Penh
- Participants: 40 activists, lawyers, media professionals and NGO workers

Fifth roundtable discussion

The discussion returned to the subject of internet freedom. Participants included bloggers, social media users and ICT enthusiasts and they discussed three specific issues - self-censorship among bloggers, the use and choice of blogging language (Khmer or English) and government internet regulation.

- Date: 27 February 2013
- Location: German-Cambodian Cultural Center, Phnom Penh
- Participants: 40 NGO staff, bloggers, media workers and one RGC representative

Sixth roundtable discussion

The final RTD was held between CSO staff members, bloggers, journalists and students. No specific issues were tabled for discussion but the participants raised

issues concerning relevant law, self-censorship, internet freedom and general restrictions on freedom of expression.

- Date: 19 September 2013
- Location: Khmer Surin Restaurant, Phnom Penh
- Participants: 54 CSO staff, journalists, bloggers and students

The Concluding Workshop

This workshop concluded the RTDs and brought together a wide range of people including indigenous community members, students and other NGO and CSO staff members. The workshop was intended as a session in which to draw together the findings so far and conduct a very broad-ranging discussion on freedom of expression in general.

- Date: 6 December 2013
- Location: Intercontinental Hotel, Phnom Penh
- Participants: Around 100 students, NGO/CSO staff and indigenous community representatives.