I write in response to the observations of Roger Mitton in his article dated the March 14 (“No press freedom leads to no freedom whatsoever”), which dealt with the issue of continued restrictions on the freedom of the press in Southeast Asia and which provided the opportunity to discuss the perilous state of journalistic freedom in Cambodia.

Journalism appears to be a safer profession in Cambodia than in previous years; the last murder of a journalist was that of Khim Sambo three years ago, bringing the total to 11 journalists killed over a 15-year period. Nevertheless, the situation of freedom of the press is deteriorating with the government and aligned forces controlling the media and punishing the remaining few journalists who report on issues that run contrary to the interests of the government or which contain criticisms of policy, actions or omissions on its part.

Since the last general election in 2008, the legal system has been working quietly and diligently silencing journalists and others who speak out in criticism of the government. The Club of Cambodian Journalists has reported that for the period of May 3, 2009, to May 3, 2010, 24 journalists were arrested and 10 were sued by members of the government or its inner circle, eight more than in 2008, with two being jailed for disinformation.

The nature of the articles that have given rise to criminal complaints and the identity of the individuals filing the complaints raises questions of executive manipulation of the courts; Hang Chakra was imprisoned in June 2009 for an article which alleged corruption amongst staff of Deputy Prime Minister Sok An, while the June 2008 imprisonment of Dam Sith followed a criminal complaint by Hor Namhong, the Minister for Foreign Affairs.

These convictions have created a culture of fear amongst Cambodian journalists, who are extremely aware of the fragility that permits them to report. One Cambodian journalist, Tes Vibol, was quoted in a September 2010 CCHR coordinated joint report on freedom of expression explaining the prevailing practice of self-censorship in Cambodia: “I used to write 100 percent of the truth, but I've reduced it to about 30 percent.”

The new Penal Code which came into force in December 2010 suggests that the situation of journalistic freedom is unlikely to improve in the near future. The code contains no less than nine provisions which criminalise expressions of opinion. Defamation has been extended to include comments which are deemed to affect the reputations of institutions, a daunting extension of the provision giving the proclivity of government members to use it. Other provisions criminalise criticisms of court decisions and comments which are perceived as an attempt to influence a judicial decision.

I applaud The Phnom Penh Post and other publications that continue to report without fear or favour in Cambodia. While no journalist has been killed in Cambodia in recent years, it is clear that the government has developed a strategy to draw the lifeblood from any type of journalistic
criticism. I encourage Roger Mitton and others to continue to do their part to uphold the media’s role as the fourth pillar of democracy by reporting on issues such as freedom of expression and the press.

Ou Virak,
President, Cambodian Center for Human Rights

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