

RELEASE IN PART
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From: Verveer, Melanne S <VerveerMS@state.gov>
Sent: Monday, July 9, 2012 10:45 PM
To: H
Subject: Fw: Cambodia: Clinton – Prioritize Improving Human Rights

Just fyi on human rights issues continue to swirl around your visit. It's obviously sensitive since govt wants all to go well yet there is much societal upset.

From: Phil Robertson [mailto:robertp@hrw.org]
Sent: Monday, July 09, 2012 08:52 PM
To: Yu, WENCHI
Cc: Verveer, Melanne S
Subject: FW: Cambodia: Clinton – Prioritize Improving Human Rights

From: Phil Robertson
Sent: Tuesday, July 10, 2012 7:45 AM
To: Reaproy [REDACTED]
Subject: Cambodia: Clinton – Prioritize Improving Human Rights

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For Immediate Release

Cambodia: Clinton Should Prioritize Improving Rights

Address Killing of Activist, Land Seizures, Conviction of Opposition Leader

(New York, July 10, 2012) – United States Secretary of State Hillary Clinton should make it clear in public and private to Cambodian Prime Minister Hun Sen that closer relations with the US will not be possible without significant improvements in the deteriorating human rights situation in Cambodia, Human Rights Watch said today. Clinton will visit Cambodia from July 11-13 for the annual Association of Southeast Asian Nations (ASEAN) heads of government meeting.

In recent months the Cambodian government has launched repeated attacks on critics, including the summary arrest and conviction of women protesting eviction from prime Phnom Penh real estate, the siege of a rural village opposing the allegedly corrupt sale of their land to cronies of the prime minister, and an armed attack by military personnel working as enforcers for a rubber company who wounded four villagers protesting what they said was encroachment on their land. In April 2012, Chut Wutty, Cambodia's best-known environmental activist, was gunned down while researching illegal timber sales. The government first claimed he died in a shootout, then that he had been killed by a soldier who had subsequently managed to commit suicide by shooting himself twice in the chest.

"The Cambodian government is desperate for improved relations with the United States," said Brad Adams, Asia director at Human Rights Watch. "Clinton should tell Hun Sen that continuing grave human rights violations will come at the cost of US support. She should insist that the Cambodian government set out specific, time-bound measures to reverse the country's increasingly disturbing rights record."

Hun Sen's approach to critics was exemplified in early 2011 when he responded with typically threatening

language to the suggestion by a Cambodian critic that he should be worried about the overthrow of a dictator in Tunisia. "I not only weaken the opposition, I'm going to make them dead ... and if anyone is strong enough to try to hold a demonstration, I will beat all those dogs and put them in a cage."

Human Rights Watch said the recent release of protesters from prison after a summary trial shows that pressure from the US and other donors works.

Cambodia's Appeal Court in June released 13 women who had protested the seizure of their land from the Boeng Kak lake area of Phnom Penh and then sold to Cambodian and Chinese companies. The women had been convicted on May 24 of obstructing public officials and illegally occupying land. The court upheld their convictions but reduced their sentences to time already served in prison. Their releases occurred against a backdrop of increasing national and international pressure, including concerns expressed to the visiting Cambodian foreign minister during a June trip to Washington, D.C. Two other Boeng Kak lake activists remain charged for the same reason, making them vulnerable to arrest at any time. Also under threat is the Venerable Luon Sovat, Cambodia's best known Buddhist monk activist, who was charged by the Phnom Penh Municipal court with "incitement to commit a felony" in a transparent attempt to silence a critic with a large and growing following.

Human Rights Watch said that Clinton should prioritize an end to illegal land seizures, which are often driving poor villagers off their land without adequate compensation. A number of Cambodian and foreign businesses have been implicated in the often violent abuses arising from government-instigated or condoned land-grabbing and other unbridled economic ventures in agriculture, manufacturing, and extractive industries. Elements of the Cambodian police and armed forces, including the military police, have also been involved.

The transfer of land through economic concessions and other state-sanctioned arrangements have reached an all-time high after government grants last year reportedly brought the total to at least 2.3 million hectares and as many as four million hectares. In response to outcries over rights abuses and other legal concerns, Prime Minister Hun Sen in May ordered a temporary halt to the granting of new economic land concessions and a review of existing ones, and in June he announced a program to reallocate at least 10 percent of the concessions to people living on them. However, at least six new grants have since been finalized and one other restored after review, with the government declaring such decisions are legal exceptions to the moratorium.

"Clinton should tell Hun Sen that corrupt land grabs from the poor through government concessions must end or the country may face widespread social unrest," Adams said. "She should also make it clear that any hopes of a significant increase in American foreign investment depend on the end of pervasive corruption and establishing the rule of law."

The Cambodian judiciary remains politically controlled by Hun Sen and the ruling Cambodian People's Party (CPP), effectively protecting the business interests and political positions of government officials. A recent example was in Kratie province, where on May 16, 2012, an estimated 1,000 members of the security forces stormed a village resisting a land concession controlled by the Casotim Company and shot dead Heng Chantha, a 14-year-old girl. The government justified the actions as necessary to suppress so-called secessionists. Instead of ordering an investigation into the killing, the provincial court issued warrants for the arrest of five protest leaders. The government is also using the incident to threaten the arrest of Mam Sanando, owner of a popular radio station and a veteran media critic of the government who has thus far remained out of the country to avoid detention.

It is crucial that Clinton press the Cambodian government to make the country safe for peaceful political opposition figures, Human Rights Watch said. Parliamentary opposition leader Sam Rainsy has been in exile, facing 12 years imprisonment on trumped up charges. Clinton should press the Cambodian government to quash all politically motivated court judgments against opposition politicians, transform national and local election commissions into truly independent bodies, and respect the right to freedom of expression via print, electronic,

and social media.

"Where opposition leaders are hounded and prosecuted in politically motivated trials, the US often leads the international community in demanding that charges be dropped or convictions overturned," Adams said. "The US and others have remained conspicuously quiet since Rainsy's conviction, sending the message that they no longer consider pluralistic politics central to their relationship. Clinton should use this visit to demand that Rainsy be allowed to return to Cambodia so that he and his party can freely participate in elections in 2013, or the US will not consider the elections legitimate."

For more Human Rights Watch reporting on Cambodia, please visit:

<https://admin.hrw.org/asia/cambodia>

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