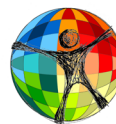


# Civil Society as the Point of Departure: Repression, Resilience, and Robustness in Cambodia

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# ABSTRACT

Cambodia's tumultuous years did not come to a close with the fall of the Khmer Rouge in 1979. For the past thirty-two years, Prime Minister Hun Sen has crafted a powerful regime largely legitimized and consolidated by a network of patronage. Yet, on 28 July 2013, the regime sustained its first real challenge to power as the opposition party received an unanticipated outpouring of support. In light of this challenge, Hun Sen's regime has tightened its grip on the country, implementing measures repressing civil society and dispersing the opposition to preserve its rule. Despite this attempted maintenance of control, civil society has proven to be resilient and robust, particularly as it showed massive continued momentum leading into the 2017 commune elections. On 3 September 2017, Hun Sen's regime arrested the leader of the opposition on spurious charges and effectively dissolved the opposition party altogether several months later. However, the thrust generated by civil society in its support for the opposition did not perish with the dissolution. Rather, it demonstrates a desire for change and a call by civil society for a new direction for Cambodia. Thus, civil society must be the starting point in developing a strategy for a way forward. Only after this foundation is established may actors in the international community play a role in helping civil society meet these aims.

# CONTENTS

<b>INTRODUCTION</b>	<b>6</b>
<b>RESEARCH QUESTIONS</b>	<b>7</b>
<b>OUTLINE</b>	<b>9</b>
<b>PART I: THE DARK SHADOW OF A SUNNY ECONOMY</b>	<b>9</b>
<b>PART II: THE INDOMITABLE NINE-HEADED NAGA WITH MAGICAL POWERS</b>	<b>11</b>
<b>PART III: THEORETICAL BASES: THE UNDERLYING PULSE OF CIVIL SOCIETY</b>	<b>16</b>
<b>PART IV: THE BOUNDARIES AND CONTOURS OF CIVIL SOCIETY</b>	<b>20</b>
<b>PART V: ALTERNATIVE PULSES: ACTORS IN THE INTERNATIONAL COMMUNITY</b>	<b>29</b>
<b>CONCLUSION</b>	<b>35</b>
<b>BIBLIOGRAPHY</b>	<b>37</b>

## Introduction

*"Borei Keila community members are now living on a pile of rubbish. We are all affected, and we cannot accept this development."*<sup>1</sup>

*"To achieve successful development, all relevant parties have to join together for solutions that are just and transparent."*<sup>2</sup>

At midnight on 3 September 2017, Kem Sokha, the leader of the main opposition party in Cambodia—the Cambodia National Rescue Party (CNRP)—was arrested.<sup>3</sup> While the reasoning for this arrest was made clear, the validity of the claim behind it revealed itself to be a sham: it was yet another repressive political manoeuvre by 32-year ruling Prime Minister Hun Sen. With its spurious underpinnings and recent historical context, this moment was graver than the preceding situations of opposition party leader exile and the imprisonment of activists. Ultimately, the arrest of Kem Sokha and the ensuing actions against the CNRP demonstrate a fearful government and a resilient civil society demanding change.

From May to July 2017, I was staffed at one of Cambodia's most prominent human rights organizations, the Cambodian League for the Promotion and Defense of Human Rights (LICADHO) in Phnom Penh.<sup>4</sup> I worked closely with personnel from all parts of the organization and had the

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<sup>1</sup> Interview of Land Activist 1 (22 June 2017), Phnom Penh, Cambodia [translated].

<sup>2</sup> Interview of Land Activist 2 (23 June 2017), Phnom Penh, Cambodia [translated].

<sup>3</sup> See "Sokha arrested for 'treason,' is accused of colluding with US to topple the government", *The Phnom Penh Post* (4 September 2017), online: <[www.phnompenhpost.com/national/sokha-arrested-treason-accused-colluding-us-topple-government](http://www.phnompenhpost.com/national/sokha-arrested-treason-accused-colluding-us-topple-government)>.

<sup>4</sup> See LICADHO, "About Us" ("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 for the government through wide ranging human rights programs from its main office in Phnom Penh and 13 provinces."), online: <[www.licadho-cambodia.org/aboutus.php](http://www.licadho-cambodia.org/aboutus.php)>.

opportunity to engage with a wide array of individuals throughout the country, including community members from Boeung Kak Lake and Borei Keila, activist monks, political prisoners, forest defenders, and NGO representatives. Furthermore, I attended high-profile trials of political prisoners and activists at all levels of Cambodian courts, most notably Court of Appeal hearings of Boeung Kak Lake community activist Tep Vanny and of the eleven anti-government protestors known as the CNRP 11.<sup>5</sup> I also conducted extensive monitoring of the 2017 commune election in the country, including the pre and post-election periods. The proposed strategy and the content of this study are largely inspired by these experiences.

### Research Questions

In this paper, I seek to offer a new perspective on Cambodia in light of recent events. My ultimate intention is to set the groundwork for a strategy to improve the lives of Cambodians. For the scope of this paper, such a strategy is referred to as the Cambodia Way Forward Strategy ("CWFS"). Recognizing Cambodia's civil unrest in the face of an increasingly repressive government, I believe that at the heart of a CWFS lies an examination of and a deference to the nature and desires of civil society in the country. In this paper, "civil society" is understood as the amalgamation of local actors, including the populace, local organizations, and communities, but excluding the State apparatus, its institutions, and the corporate sphere. It is ineffective and inutile to attempt to start elsewhere, particularly at a place where actors in the international community attempt to impose upon Cambodia directives or objectives.

To illustrate this assertion, I will rely on the example of one of my projects in Cambodia. This project involved a lengthy research report into the development of drug legislation in the country, focusing on the operation of compulsory drug treatment and rehabilitation centers, the excessive use of force and pre-trial detention to combat drug-related activities, and the discrepancies surrounding drug seizure and purity testing. I ended this report with numerous recommendations, such as removing incentives for police officers to increase heavy-handed crackdowns on drugs,

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<sup>5</sup> See LICADHO Flash News, "CNRP 11 Appeal Begins" (17 March 2016), online: <[www.licadho-cambodia.org/flashnews.php?perm=165](http://www.licadho-cambodia.org/flashnews.php?perm=165)>.

abandoning the practice of arbitrary assessment of drug use severity by unqualified individuals, and mitigating against pre-trial detention as a tool for controlling drug users in the country. However, although useful in a variety of intangible ways, identifying precise problems and crafting recommendations is ultimately an on-paper exercise that has become increasingly less effective as Hun Sen's regime has tightened its grip on power. Therefore, instead of offering specific recommendations, this paper aims to set the stage for a practicable CWFS to improve the lives of Cambodians through the eyes of Cambodians. I focus on the question: why must a CWFS begin with civil society?

Before embarking on the analysis, it is useful first to set out several inherent challenges. First, the scope of this paper is limited by the very nature of the social, cultural, political, economic, and historical contexts of the country. Examining a singular wave requires an examination of the entire ocean; all aspects in Cambodia are intrinsically tied to others and one must be wary of oversimplifying the situation. Although an attempt is made to overcome this difficulty by touching on a wide variety of issues, it is beyond the scope of this paper to conduct an in-depth analysis on all interrelated elements. In particular, the legal aspect of this paper has been largely subsumed into a consideration of the boundaries of civil society, as the judicial branch seems to operate far more as a tool of the ruling party—a “subordinate judiciary” used to “suppress the media from criticizing the government, to prevent civil society organizations from protecting the poor and articulating alternative discourses, and opposition parties from voicing their concerns”<sup>6</sup>—than a tangible avenue for change. Second, the assertion that at the heart of a CWFS lies civil society may appear on the surface to be quite broad and impracticable. However, by contextualizing the topic through an abundance of examples and by grounding it in several focused discussions, this paper attempts to rise to the challenge.

## Outline

This paper proceeds in five parts. Part I delineates Cambodia's impressive economic growth in recent years, a set of

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<sup>6</sup> Kheang Un, “Cambodia: Moving away from democracy?” (2011) 32 *International Political Science Review* 546 at 547 [*Un Democracy*], online: <[journals.sagepub.com/doi/pdf/10.1177/0192512111417120](http://journals.sagepub.com/doi/pdf/10.1177/0192512111417120)>.



numbers which suggest on first glance a utopian reality. Part II discusses the historical and political backdrop of the country. Part III considers the broader reasoning behind commencing a CWFS with civil society. This section considers patron-client relations, an overarching force in the country that has allowed the ruling party to remain in power. Moreover, this section grapples with the question of Cambodia's place on the spectrum between democracy and autocracy, revealing that universalist conceptions of human rights are incompatible with developing a tangible CWFS. Part IV examines the present form of Cambodian civil society, discussing its boundaries, the attempted control of information and subsequent repression by the ruling party, as well as its contours, the areas in which civil society has expressed its desired rights and successfully found space to affect change. Part V considers the tensions inherent to and role to be played by actors in the international community. This paper concludes that a context-specific understanding of rights and space, particularly one beginning with the desires of civil society, is not only critical to realizing and implementing a tangible CWFS, but possible as well.

### **Part I: The Dark Shadow of a Sunny Economy**

A quick glance at some prominent numbers and statistics indicate that Cambodia is doing tremendously well, considering its rise from the ashes of a turbulent recent history to its current state of booming economic growth. In the past five years, the country has consistently ranked as one of Southeast-Asia's fastest-growing economies<sup>7</sup> and has maintained at least a seven percent GDP growth rate.<sup>8</sup> The Central Intelligence Agency has ranked Cambodia eighth in the world for this statistic.<sup>9</sup> From 2007 to 2014, Cambodia's poverty rate dipped from 47.8 percent to 13.5 percent.<sup>10</sup> In July 2016, the World Bank moved Cambodia's categorization from a low income to a "lower-middle income"

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<sup>7</sup> See Asian Development Bank, "Member Fact Sheet", (2016) at 1 [ADB], online: <[www.adb.org/sites/default/files/publication/27757/cam-2016.pdf](http://www.adb.org/sites/default/files/publication/27757/cam-2016.pdf)>.

<sup>8</sup> See Asian Development Bank, "Cambodia: Economy", online: <[www.adb.org/countries/cambodia/economy-tabs-0-2](http://www.adb.org/countries/cambodia/economy-tabs-0-2)>.

<sup>9</sup> Central Intelligence Agency, "The World Factbook", online: <[www.cia.gov/library/publications/the-world-factbook/rankorder/2003rank.html#cb](http://www.cia.gov/library/publications/the-world-factbook/rankorder/2003rank.html#cb)>.

<sup>10</sup> See ADB, *supra* note 7 at 1.

country.<sup>11</sup> International Monetary Fund (“IMF”) Deputy Managing Director Mitsuhiro Furusawa has praised the country for its “relatively low inflation, increasing international reserves, modest fiscal deficits and low public debt, and prudent economic policies.”<sup>12</sup>

However, other numbers reveal a different story. To give several examples, ninety percent of the poor in the country are in rural areas, 4.5 million people are at risk of slipping back under the poverty line, and seventy percent of the country are without access to piped water.<sup>13</sup> Over seventy percent of the populace lives on under \$3 per day.<sup>14</sup> In 2007, Cambodia’s capital, Phnom Penh, accepted US\$79 million from a corporation in exchange for a 99-year lease to fill in and develop Boeung Kak Lake, evicting nearly 4,000 families in the process.<sup>15</sup> In 2010, the promised construction of ten apartment buildings to house hundreds of evicted families from Borei Keila community in downtown Phnom Penh was reneged upon by commercial developer Phanimex, leaving hundreds of families living on-site in squalid conditions.<sup>16</sup> In 2012, state forces assisted the corporation in violently removing 300 of these families.<sup>17</sup> As of March 2012, over fifty percent of Cambodia’s arable land—much of which was on the land of local farmers and shared forests—had been doled out through economic land concessions (ELCs).<sup>18</sup> A deeper look at the economy reveals the long shadow of the sun.

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<sup>11</sup> See ADB, *supra* note 7 at 1

<sup>12</sup> International Monetary Fund, “The Cambodian Economy: Outlook, Risks and Reforms” (7 June 2017), online: <[www.imf.org/en/News/Articles/2017/06/06/sp060717-the-cambodian-economy-outlook-risks-and-reforms](http://www.imf.org/en/News/Articles/2017/06/06/sp060717-the-cambodian-economy-outlook-risks-and-reforms)>.

<sup>13</sup> See The World Bank, “The World Bank in Cambodia” (October 2017) <[www.worldbank.org/en/country/cambodia/overview](http://www.worldbank.org/en/country/cambodia/overview)>.

<sup>14</sup> See ADB, *supra* note 7 at 1.

<sup>15</sup> See LICADHO Video, “Boeung Kak Lake: \$79 million for who?” (11 December 2008), online: <[www.licadho-cambodia.org/video.php?perm=13](http://www.licadho-cambodia.org/video.php?perm=13)>.

<sup>16</sup> See LICADHO Statement, “Civil Society Groups Condemn Violent Eviction of Borei Keila Residents” (3 January 2012) [LICADHO Eviction], online: <[www.licadho-cambodia.org/pressrelease.php?perm=267](http://www.licadho-cambodia.org/pressrelease.php?perm=267)>.

<sup>17</sup> See LICADHO Eviction, *supra* note 16.

<sup>18</sup> See Willemijn Verkoren & Chanrith Ngin, “Organizing against Land Grabbing in Cambodia: Exploring Missing Links” (2017) 48 Development and Change 1336 at 1345 [Verkoren], online: <[onlinelibrary.wiley.com/doi/10.1111/dech.12346/epdf](http://onlinelibrary.wiley.com/doi/10.1111/dech.12346/epdf)>.

## Part II: The Indomitable Nine-Headed Naga with Magical Powers<sup>19</sup>

Although some commentators have posited that rising prosperity in Asian countries brings increased demands for political freedoms and a subsequent “loosening of the existing controls,”<sup>20</sup> Cambodia’s experience has, in many ways, shown the opposite. Beneath the general increased wealth and profitable landscape for foreign entities lies a repressed Cambodian civil society, a façade of free and fair elections, and a judiciary intricately tied to the government. How did Cambodia get to this point and how did such divergent traits manifest themselves? What may be done to bolster civil society to align with the scattered successes of overall economic development? The answers to these questions hinge on a complex range of factors. This section focuses on historical, economic, and recent political developments to set the backdrop for further analysis.

### *A Tumultuous and Violent Era: Cambodia’s Experience under the Khmer Rouge*

In 1970, Cambodian King Norodom Sihanouk—who had led the country to independence from France in 1954—was overthrown in a coup d’état by Lon Nol, who formed a republic under his leadership.<sup>21</sup> Following a tumultuous period of civil war, the Khmer Rouge under Pol Pot succeeded in defeating Lon Nol and established itself at the head of the country.<sup>22</sup> The Khmer Rouge regime quickly radicalized, implementing a “political and societal revolution” and prioritizing secrecy of the regime.<sup>23</sup> Implementing policies resulting in widespread violence, starvation, and sickness, the regime effectively wiped out the majority of the country’s intellectuals and wreaked havoc on both

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<sup>19</sup> See Steve Heder, “Cambodia in 2010: Hun Sen’s Further Consolidation” 51 Asian Survey 208 at 209 [Heder], online: <[www.jstor.org/stable/pdf/10.1525/as.2011.51.1.208.pdf](http://www.jstor.org/stable/pdf/10.1525/as.2011.51.1.208.pdf)>.

<sup>20</sup> Venkat Iyer, “Business and Human Rights” in Iyer, Venkat, ed, *Democracy, Human Rights and The Rule of Law: Essays in Honour of Nani Palkhivala* (New Delhi: Butterworths India, 2000) 155 at 166-167 [Iyer].

<sup>21</sup> See Mikael Baaz & Mona Lilja, “Understanding Hybrid Democracy in Cambodia: The Nexus Between Liberal Democracy, the State, Civil Society, and a ‘Politics of Presence’” (2014) 6 Asian Politics & Policy 5 at 10-11 [Baaz], online: <[onlinelibrary.wiley.com/doi/10.1111/aspp.12086/epdf](http://onlinelibrary.wiley.com/doi/10.1111/aspp.12086/epdf)>.

<sup>22</sup> See *Ibid* at 11.

<sup>23</sup> *Ibid*.

the Cambodian economy and existing institutions.<sup>24</sup> It was not until 7 January 1979 that the Vietnamese forces would assist in overthrowing the Khmer Rouge regime and installing a new leader, Heng Samrin, under a newly formed People's Republic of Kampuchea (PRK).<sup>25</sup> Six years after the Khmer Rouge was toppled, Hun Sen—a former commander in the Khmer Rouge—took the reins of the PRK, and today remains Cambodia's ruler.<sup>26</sup>

In response to diminished funding to Vietnam by the USSR and the subsequent planned departure by the Vietnamese from the country, then UN Secretary General Pérez de Cuellar—fearing a return to civil war—commenced peace talks in the country.<sup>27</sup> These talks ultimately led to the Paris Peace Accords in 1991 and the establishment of the UN Transitional Authority for Cambodia (UNTAC).<sup>28</sup> UNTAC had the unprecedented mission “to make the country the beacon for democracy,” laying the groundwork for elections in May 1993, the first to be held since 1955.<sup>29</sup> The emergent democracy was therefore the product of an imposed intervention rather than an organic development.<sup>30</sup>

The economy shifted along with political developments. Small-scale private sector enterprises slowly emerged within Vietnam's imposition of a socialist economy built on State ownership.<sup>31</sup> As the Soviet Union fell and its associated aid to the country disappeared, Cambodia in 1990 entered into a three-year period of triple-digit inflation.<sup>32</sup> It soon became apparent that

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<sup>24</sup> See Joakim Öjendal & Mona Lilja, “Beyond Democracy in Cambodia. Political Reconstruction in a Post-Conflict Society?” in Öjendal, Joakim and Mona Lilja, eds, *Beyond Democracy in Cambodia: Political Reconstruction in a Post-Conflict Society* (Copenhagen: NIAS Press, 2009) 1 at 1 [Öjendal]; Michiel Verver & Heidi Dahles, “The Institutionalisation of Oknha: Cambodian Entrepreneurship at the Interface of Business and Politics” (2015) 45 *Journal of Contemporary Asia* 48 at 51 [Verver], online: <[www.tandfonline.com/doi/pdf/10.1080/00472336.2014.891147?needAccess=true](http://www.tandfonline.com/doi/pdf/10.1080/00472336.2014.891147?needAccess=true)>.

<sup>25</sup> See Baaz, *supra* note 21 at 11.

<sup>26</sup> See *Ibid.*

<sup>27</sup> See *Ibid.*

<sup>28</sup> See Öjendal, *supra* note 24 at 2; Baaz, *supra* note 21 at 11.

<sup>29</sup> See Baaz, *supra* note 21 at 11.

<sup>30</sup> See Un Democracy, *supra* note 6 at 546.

<sup>31</sup> See Verver, *supra* note 24 at 51.

<sup>32</sup> See Sophal Ear, “The Political Economy of Aid and Regime Legitimacy in Cambodia” in Öjendal, Joakim and Mona Lilja, eds, *Beyond Democracy in*

economic assistance from the international community was necessary.<sup>33</sup> Following a shift in Cambodia from communism to capitalism in the early 1990s, an environment producing a rapid influx of foreign investment and land acquisition emerged.<sup>34</sup> Hun Sen also permitted officials around him to exploit resources in exchange for loyalty, marking the beginnings of an intricate system of patronage.<sup>35</sup> The government's economic policy rapidly became one that provided "free rein to foreign firms interested only in profitable exploits"<sup>36</sup> and that embraced Washington's "economic program of a technocratic nature."<sup>37</sup> Eventually, foreign aid with increasingly abundant strings attached became deeply entrenched in Cambodia's economy.<sup>38</sup>

*A Brief Political Contextualization: Is the Invincible Armour Cracking?*

In 2012, long-presiding Cambodian Prime Minister Hun Sen responded to a merger between several opposition parties, the Sam Rainsy Party and the Human Rights Party, calling the move a "storm in a clay pot."<sup>39</sup> At the time of the merger, there were few, if any, signs that Hun Sen's regime was at risk of being challenged as the middle class remained distracted by its discretionary income and the rural population enjoyed a newfound well-being.<sup>40</sup> For many in the country, attributing the improved social environment to the policies and generosity of the ruling party did not require a significant leap, considering the recent history of "mass killings and starvation under the Khmer Rouge in the 1970s, and civil war and material deprivation in the 1980s and early 1990s."<sup>41</sup> Hun Sen has repeatedly warned of a recommencement of civil war should the CPP fall, its presence standing as a beacon of peace and development and a bulwark

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*Cambodia: Political Reconstruction in a Post-Conflict Society* (Copenhagen: NIAS Press, 2009) 151 at 151 [Ear].

<sup>33</sup> *Ibid.*

<sup>34</sup> See Verkomen, *supra* note 34 at 1344-1345.

<sup>35</sup> See Verver, *supra* note 24 at 52.

<sup>36</sup> Heder, *supra* note 19 at 210.

<sup>37</sup> Ear, *supra* note 32 at 151.

<sup>38</sup> *Ibid* at 151-152.

<sup>39</sup> Kheang Un, "Cambodia in 2012: Beyond the Crossroads?" (2013) 53 Asian Survey 142 at 144 [Un Crossroads], online: <as.ucpress.edu/content/ucpas/53/1/142.full.pdf>.

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*

against conflict.<sup>42</sup> The past four decades have been the result of a variety of political undercurrents<sup>43</sup> and have allowed Hun Sen to effectively consolidate his power. Nevertheless, this must be understood alongside the notion that his regime “has faced no serious external threat and certainly no condition of ‘systemic vulnerability.’”<sup>44</sup>

In large part, Hun Sen’s power has been maintained through a carefully crafted image and a fortress of allies. He has been described as a “proud, adept, thin-skinned, and ruthless politician,”<sup>45</sup> and someone possessing “no respect for pluralism, an independent judiciary, or the separation of powers.”<sup>46</sup> He has also been portrayed as “a military and economic genius; as the reincarnation of the sixteenth-century commoner, Khmer-turned hero-king Sdech Kan; and as a nine-headed naga (serpent) with magical powers.”<sup>47</sup> Surrounding him are trusted armed groups led by allied individuals, including former Khmer Rouge personnel and family members.<sup>48</sup> These individuals have been strategically placed in high-ranking security and military positions, and form a powerful front against any attempted coup.<sup>49</sup>

The party over which Hun Sen presides, the Cambodian People’s Party (CPP), has established itself as an all-encompassing presence in the country, and in 2010 it was said that the country would “almost certainly remain... a one-party state.”<sup>50</sup> By 2010, Hun Sen had established himself as grossly intolerant of dissent by criticizing Western donors for speaking out against his actions, instigating lawsuits against political opponents to weaken them,

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<sup>42</sup> See Duncan McCargo, “Cambodia in 2013: (No) Country for Old Men?” (2014) 54 *Asian Survey* 71 at 73 [McCargo Country], online: <[eprints.whiterose.ac.uk/82677/1/McCargo%20Cambodia%202013.pdf](http://eprints.whiterose.ac.uk/82677/1/McCargo%20Cambodia%202013.pdf)>.

<sup>43</sup> See Tomas Larsson, “The Strong and the Weak: Ups and Downs of State Capacity in Southeast Asia” (2013) 5 *Asian Politics and Policy* 337 at 344 [Larsson], online: <[onlinelibrary.wiley.com/doi/10.1111/aspp.12040/epdf](http://onlinelibrary.wiley.com/doi/10.1111/aspp.12040/epdf)>.

<sup>44</sup> *Ibid.*

<sup>45</sup> David Chandler, “Cambodia in 2009: Plus C’est la Même Chose” (2010) 50 *Asian Survey* 228 at 229 [Chandler], online: <[www.jstor.org/stable/pdf/10.1525/as.2010.50.1.228.pdf](http://www.jstor.org/stable/pdf/10.1525/as.2010.50.1.228.pdf)>.

<sup>46</sup> *Ibid.*

<sup>47</sup> Heder, *supra* note 19 at 209.

<sup>48</sup> *Ibid.* at 208-209.

<sup>49</sup> *Ibid.*

<sup>50</sup> Chandler, *supra* note 45 at 229.

and shutting down various opposition news sources.<sup>51</sup> The assertion in 2010 that “the CPP’s near monopoly of power will remain unchanged, while Hun Sen will continue to attack his opponents and reduce their freedom of maneuver”<sup>52</sup> has proven to be a thoroughly accurate one, if not understated. Recent events indicate that his grip on power has been tightening and his opponents have been virtually wiped out of existence.

Yet, Hun Sen’s immense grip on power witnessed a real challenge—perhaps its first major one in recent years—during the national election on 28 July 2013. The image of the CPP as untouchable and steadily increasing its share of public support was shattered as its main opposition, the Cambodia National Rescue Party (CNRP) took home 44 percent of the votes to the CPP’s 49 percent.<sup>53</sup> Only one year earlier, the CPP had dominated the competition, winning 97 percent of the communes in the country.<sup>54</sup> The Sam Rainsy Party and the Human Rights Party’s lack of votes in this 2012 commune election is possibly attributable to “their non-existent access to state resources and institutions and media outlets,”<sup>55</sup> though the change that emerged was completely unexpected. These massive and surprising gains raised many questions in the country, perhaps most notably “whether a new, democratic, rights-based conscience is emerging in Cambodia.”<sup>56</sup>

In the shadow of this potentially emergent new conscience, however, there seemed to be a different and less hopeful trend developing simultaneously. While civil society may have found a renewed energy, so too had the ruling party which had little on its mind besides retaining its rule.

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<sup>51</sup> *Chandler, supra* note 45 at 230-231.

<sup>52</sup> *Ibid* at 234.

<sup>53</sup> See Astrid Norén-Nilsson, “Good Gifts, Bad Gifts, and Rights: Cambodian Popular Perceptions and the 2013 Elections” (2016) 89 *Pacific Affairs* 795 at 795-796 [*Norén-Nilsson Gifts*], online: <docserver.ingentaconnect.com/deliver/connect/paaf/0030851x/v89n4/s3.pdf?expires=1513205121&id=0000&titleid=11738&checksum=EB1C5940D123FEA5712F79EDED5605A1>.

<sup>54</sup> See *Un Crossroads, supra* note 39 at 143.

<sup>55</sup> *Ibid*.

<sup>56</sup> *Norén-Nilsson Gifts, supra* note 53 at 796.

### Part III: Theoretical Bases: The Underlying Pulse of Civil Society

Before engaging with the current form of civil society in Cambodia, it is useful first to consider several broader concepts. First, the operation of patronage is discussed, revealing an immense force that has helped preserve Hun Sen's regime and shape civil society. Second, Cambodia's current place on the spectrum between democracy and autocracy is considered, illustrating the country's nebulous form and the subsequent need for a CWFS to begin with civil society itself.

#### *Delineating Patron-Client Relations in Cambodia*

Patronage is a long-standing value in Cambodia, for years forming the cornerstone of the country's traditional political makeup,<sup>57</sup> as well as "the basis of social life in Cambodian society... and a persistent feature of Cambodian culture."<sup>58</sup> Baaz and Lilja present the concept as a vertical hierarchy transcending economic, social, and political spheres; the patron provides protection, resources, and favouritism whilst the client provides support, political or otherwise.<sup>59</sup>

In practice, patronage has most notably impacted the political sphere, as the CPP allocates a variety of privileges and resources to those who support them.<sup>60</sup> Voters have sought connections through *khsae*, relational links that "can be familial, institutional, or political in character, often involving a family and related individuals who have inherent and long-standing patron-client relationships."<sup>61</sup> These *khsae* networks manifest themselves politically in numerous ways, including "attitudes toward representation in gift giving, in election rallies."<sup>62</sup> For instance, in 2009, a public opinion survey carried out in rural Cambodia by the International Republican Institute showed that 79 percent of Cambodians felt their country was moving in the "right direction"; over 75 percent of the participants indicated this was due to the construction of new roads and 61 percent attributed the sentiment

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<sup>57</sup> See Baaz, *supra* note 21 at 13.

<sup>58</sup> Verver, *supra* note at 51.

<sup>59</sup> Baaz, *supra* note 21 at 13.

<sup>60</sup> See Verkoren, *supra* note 18 at 1345.

<sup>61</sup> Baaz, *supra* note 21 at 13.

<sup>62</sup> *Ibid.*



to the opening of new schools.<sup>63</sup> Hughes asserts that Hun Sen's ability to retain power has largely been the result of extensive use of patron-client relations, where "innate and unassailable spiritual power" has surrounded him, "elevating the CPP to the status of natural power-holder and disinterested guardian of the national good."<sup>64</sup> Baaz and Lilja expand on these assertions through the notion that Cambodian politicians control social change, crafting a political sphere which focuses on a competition of individuals and not of parties.<sup>65</sup>

Moreover, the use of the title *okhna* has entrenched patronage in the Cambodian economic sphere. Once used to describe societal leaders, the term *okhna* has become an honorary title for Cambodian business people who provide over \$100,000 to "national development projects."<sup>66</sup> The ensuing exchange of benefits and rewards from the CPP has formed what has become known as the "elite pact," contributing to the co-existence of economic growth and an economy rooted in patron-client relations.<sup>67</sup> Strangio has referred to the perseverance of Hun Sen as a kind of "Hunsenonics," mixing patronage, support from elites, and "predatory market economics."<sup>68</sup> Connecting the economic and political facets together, Un posits that the Hun Sen regime's systematic use of patron-client relations is carried out through links formed between CPP elites and the wealthy then subsequently linked to voters, thereby bolstering elections, control, and legitimacy.<sup>69</sup>

With both the economic elites and the electorate in his pocket, Hun Sen has spread the patronage web in such a manner as to render the CPP reliant on the state apparatus and the two virtually indistinguishable from one another.<sup>70</sup> Springer postulates that the CPP has become so intertwined with the Royal

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<sup>63</sup> See Sebastian Strangio, *Hun Sen's Cambodia* (Cornwall: Yale University Press, 2014) at 122 [Strangio].

<sup>64</sup> Caroline Hughes, "The Politics of Gifts: Tradition and Regimentation in Contemporary Cambodia" (2006) 37 *Journal of Southeast Asian Studies* 469 at 470, online: <[www.jstor.org/stable/pdf/20071787.pdf](http://www.jstor.org/stable/pdf/20071787.pdf)>.

<sup>65</sup> Baaz, *supra* note 21 at 14.

<sup>66</sup> Verver, *supra* note 24 at 48.

<sup>67</sup> *Ibid* at 48-49.

<sup>68</sup> Strangio, *supra* note 63 at 135.

<sup>69</sup> Un Democracy, *supra* note 6 at 546.

<sup>70</sup> See Verver, *supra* note 24 at 52.

Government of Cambodia that the difference between the two is hard for some Cambodians to recognize.<sup>71</sup> Such a formidable and permeating force serves as an ideal lighthouse for identifying areas in which civil society reveals its true nature and desires. Rather than merely identifying successes in, for example, the closure of drug treatment and rehabilitation centers, an analysis of areas in which patron-client relations has been overcome illuminates the ability of civil society to penetrate deeply embedded barriers in Cambodia and serve as the starting point for a CWFS. This notion is used in Part IV to discuss the recent outpouring of support for the CNRP preceding Kem Sokha's arrest several months ago.

### *Unnecessary to Categorize a Nebulous Cambodia*

This section briefly considers Cambodia's place on the spectrum between autocracy and democracy, revealing that such a categorization is ultimately inutile. The ambiguity of Cambodia's categorization lends itself well to—if not necessitates—beginning a CWFS with civil society itself. According to some commentators, Cambodia's governance treads the line between an authoritarian and democratic regime.<sup>72</sup> Some commentators have asserted that Cambodia resides somewhere between the two regimes in a hybrid zone.<sup>73</sup> Others have noted a decline in the “overall quality of democracy” in Cambodia, shifting from “unstructured competitive authoritarianism” to “hegemonic party authoritarianism.”<sup>74</sup> Carothers identifies countries between autocracy and democracy as those within “a political gray zone.”<sup>75</sup> Yet, can such a designation be said to apply to Cambodia? Do any of the “qualified democracy” terms offered by various commentators, such as “façade democracy, pseudo-

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<sup>71</sup> Simon Springer, *Violent Neoliberalism: Development, Discourse, and Dispossession in Cambodia* (New York: Palgrave Macmillan, 2015) at 44.

<sup>72</sup> See Young Sokphea, “Popular Resistance in Cambodia: The Rationale Behind Government Response” (2016) 8 *Asian Politics & Policy* 593 at 597, online: <[onlinelibrary.wiley.com/doi/10.1111/aspp.12288/epdf](http://onlinelibrary.wiley.com/doi/10.1111/aspp.12288/epdf)>.

<sup>73</sup> See e.g. Baaz, *supra* note 21 at 6.

<sup>74</sup> Un Democracy, *supra* note 6 at 546-547.

<sup>75</sup> Thomas Carothers, “The End of the Transition Paradigm” (2002) 13 *Journal of Democracy* 5 (“[t]hey have some attributes of democratic political life, including at least limited political space for opposition parties and independent civil society, as well as regular elections and democratic constitutions” at 9) [Carothers], online: <[www.journalofdemocracy.org/sites/default/files/Carothers-13-1.pdf](http://www.journalofdemocracy.org/sites/default/files/Carothers-13-1.pdf)>.

democracy... and virtual democracy”<sup>76</sup> or “hybrid” democracy<sup>77</sup> suffice for identifying the present form of the country?

Carothers’ framework appears most relevant to Cambodia as he delineates the “dominant-power politics” syndrome in the gray zone.<sup>78</sup> Countries with this syndrome—he specifically recognizes Cambodia as one of these<sup>79</sup>—have minimal political shifting, with one entity almost solely in control and a “blurring of the line between the state and the ruling party.”<sup>80</sup> Dominant-power politics therefore results in state assets, notably “money, jobs, public information (via state media), and police power,” being incontestably held by government.<sup>81</sup> Furthermore, countries with such a syndrome face a lack of independence of the judiciary and questionable legitimacy during elections.<sup>82</sup> These are all prevailing symptoms in Cambodia.

Nevertheless, such an attempted categorization of Cambodia as fitting within a universally understood concept such as democracy or autocracy is less useful than simply asserting that the country rests somewhere between the two in a nebulous state. As Baaz and Lilja state, “[i]t can, of course, be debated at length if Cambodia fulfills the requirements of being a democracy or not.”<sup>83</sup> Fitting within a precise term offers little beyond categorization; a strategy must be grounded in something concrete and may not begin with a universalist designation. Civil society provides this concreteness, as delineated below, and thus must serve as the point of departure for developing a CWFS.

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<sup>76</sup> Crothers, *supra* note 75 at 9.

<sup>77</sup> Baaz, *supra* note 21 at 7.

<sup>78</sup> Carothers, *supra* note 75 at 11.

<sup>79</sup> Carothers, *supra* note 75 at 13.

<sup>80</sup> *Ibid* at 11-12.

<sup>81</sup> *Ibid* at 12.

<sup>82</sup> *Ibid*.

<sup>83</sup> Baaz, *supra* note 21 at 6.

## Part IV: The Boundaries and Contours of Civil Society

Considering civil society lies at the heart of a CWFS, how may this body be defined and what are its boundaries and contours? This section considers this question in two parts. First, the boundaries are revealed through the ruling party's repression and attempted control of information received by the populace. Second, the contours are considered, noting various instances of 'successes' of civil society to reveal its ability to serve as a starting point for a CWFS. This section engages with the recent rise in CNRP popularity as an indicator of an emergent desire for change.

### *Boundaries: Striking at the Heart of Civil Society*

Following the near victory for the opposition CNRP in the 2013 national election, the stage was set for a further consolidation of power. If the government wished to quell the momentum of the CNRP's gains, the time had come. Hun Sen's regime reacted quickly, employing a wide array of tactics to harbour division, to isolate civil society groups from others, to muzzle NGOs, activists, and news sources, and to pin down anyone wishing to rattle the status quo. The employed measures have included zealous use of arrests and imprisonment to silence activists and dissidents,<sup>84</sup> violent crackdowns on protests and demonstrations,<sup>85</sup> widespread efforts to disband and delegitimize the political opposition,<sup>86</sup> ramming through repressive legislation to build an arsenal of tools justifying repressive measures,<sup>87</sup> and control of information received by the populace in the country through media restrictions. The following selection of recent examples strikingly illustrates the imposition of controlled limits on

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<sup>84</sup> See e.g. LICADHO Briefing, "Freedom Park Violence, CNRP Arrests, and Political Deal: Timeline of Events July - November 2014" (December 2014), online: <[www.licadho-cambodia.org/reports.php?perm=201](http://www.licadho-cambodia.org/reports.php?perm=201)>.

<sup>85</sup> See e.g. LICADHO Statement, "The Dangers of Dissent: Attacks on Cambodia's Human Rights Defenders" (3 July 2017), online: <[www.licadho-cambodia.org/pressrelease.php?perm=422](http://www.licadho-cambodia.org/pressrelease.php?perm=422)>.

<sup>86</sup> See e.g. LICADHO Briefing, "Timeline of harassment of opposition MPs, members, and supporters" (April 2016), online: <[www.licadho-cambodia.org/reports.php?perm=215](http://www.licadho-cambodia.org/reports.php?perm=215)>.

<sup>87</sup> See e.g. LICADHO Statement, "New Law on Telecommunications: A Legislative Attack on Individuals' Rights and Freedoms" (31 March 2016), online: <[www.licadho-cambodia.org/pressrelease.php?perm=401](http://www.licadho-cambodia.org/pressrelease.php?perm=401)>.

civil society and opposition politics—imposed boundaries on civil society.

First, the majority of the voices that have attempted to display dissenting opinions have been met with a systematic use of imprisonment and judicial action to remove them from a stage of influence. It has repeatedly demonstrated that “the legal system is not independent but embedded in political patronage.”<sup>88</sup> In 2010, self-organized community members rose up against new legislation making it easier for the government to seize land without reason.<sup>89</sup> This resulted in a widespread use of the judicial system to control them, leading to 306 villagers being brought before judges on related charges.<sup>90</sup> In July 2015, eleven opposition activists—charged for alleged crimes committed during protests against the ruling party following the 2014 national election—were handed a range of sentences from seven to 20 years’ imprisonment.<sup>91</sup> In 2016, following the arrests of four staff members of the Cambodian Human Rights and Development Association (Adhoc) and one member of the National Election Commission, “activists held weekly ‘Black Monday’ protests in Phnom Penh.”<sup>92</sup> In response, the CPP stated that “protestors must secure permits not only to march but also to post their views about the arrests on social media.”<sup>93</sup> The year 2016 also witnessed the arrest of CNRP lawmaker Um Sam An on incitement charges for posting information on Facebook indicating Vietnam’s superior border claim in opposition to the CPP.<sup>94</sup>

Second, along with the use of arrests and imprisonment, those who speak out against the ruling party have been met with heavy-handed and often violent reactions by authorities. In particular, incorrect application of the rhetoric of “colour revolution” has been pervasive in the CPP’s speech, designating

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<sup>88</sup> Verkoren, *supra* note 18 at 1345.

<sup>89</sup> See Heder, *supra* note 19 at 211.

<sup>90</sup> See *Ibid.*

<sup>91</sup> See Daniel O’Neill, “Cambodia in 2015: From Cooperation to Conflict” (2016) 56 *Asian Survey* 155 at 156 [O’Neill Cooperation], online: <as.ucpress.edu.proxy3.library.mcgill.ca/content/ucpas/56/1/155.full.pdf>

<sup>92</sup> Daniel O’Neill, “Cambodia in 2016: A Tightening Authoritarian Grip” (2017) 57 *Asian Survey* 180 at 182 [O’Neill Tightening], online: <as.ucpress.edu/content/ucpas/57/1/180.full.pdf>.

<sup>93</sup> *Ibid.*

<sup>94</sup> *Ibid* at 181.

the acts of the civil society as efforts to overthrow the government violently.<sup>95</sup> This discourse has been used to justify heavy-handed crackdowns of civil society protests and demonstrations.<sup>96</sup> In one of many examples, Hun Sen delivered a speech in June 2017 for the inauguration ceremony of the Cambodia-China Friendship Bridge in Kandal province, warning that starting a “colour revolution” was akin to preparing one’s coffin.<sup>97</sup> Violence against dissenters was also realized on 10 July 2016 as prominent political analyst Kem Ley was shot in the head in broad daylight following an appearance on a radio show in which he criticized the Prime Minister.<sup>98</sup> The subsequent “trial” was riddled with inadequacies and unanswered questions, leading many to conclude that the government had something to hide. Consequently, Kem Ley’s family left the country seeking asylum.<sup>99</sup> In 2014, a confrontation took place between labor activists and CNRP supporters on one side and State authorities on the other in

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<sup>95</sup> See Ben Sokhean, Andrew Nachemson, & Shaun Turton, “Government’s preoccupation with ‘colour revolution’ reveals misunderstandings”, *The Phnom Penh Post* (15 September 2017), online: <[www.phnompenhpost.com/national-post-depth-politics/governments-preoccupation-colour-revolution-reveals-misunderstandings](http://www.phnompenhpost.com/national-post-depth-politics/governments-preoccupation-colour-revolution-reveals-misunderstandings)>.

<sup>96</sup> See Mech Dara, “Cops commended for staving off ‘colour revolution’”, *The Phnom Penh Post* (16 May 2017), online: <[www.phnompenhpost.com/national/cops-commended-staving-colour-revolution](http://www.phnompenhpost.com/national/cops-commended-staving-colour-revolution)>; See also e.g. Shaun Turton, “CPP calls out foreign NGOs for stirring ‘colour revolution’”, *The Phnom Penh Post* (24 May 2017), online: <[www.phnompenhpost.com/national/cpp-calls-out-foreign-ngos-stirring-colour-revolution](http://www.phnompenhpost.com/national/cpp-calls-out-foreign-ngos-stirring-colour-revolution)>; Mech Dara & Shaun Turton, “Gov’t ‘inactivity’ could lead to revolution, Sar Kheng warns party”, *The Phnom Penh Post* (17 May 2016), online: <[www.phnompenhpost.com/national/govt-inactivity-could-lead-revolution-sar-kheng-warns-party](http://www.phnompenhpost.com/national/govt-inactivity-could-lead-revolution-sar-kheng-warns-party)>; Mech Dara & Shaun Turton, “Six decades later, RCAF playing a familiar tune”, *The Phnom Penh Post* (9 November 2016), online: <[www.phnompenhpost.com/national/six-decades-later-rcaf-playing-familiar-tune](http://www.phnompenhpost.com/national/six-decades-later-rcaf-playing-familiar-tune)>.

<sup>97</sup> See Touch Sokha & Leonie Kijewski, “PM files lawsuit against analyst”, *The Phnom Penh Post* (14 February 2017), online: <[www.phnompenhpost.com/national/pm-files-lawsuit-against-analyst](http://www.phnompenhpost.com/national/pm-files-lawsuit-against-analyst)>.

<sup>98</sup> See e.g. LICADHO Statement, “A Call for Justice: Civil Society Demands Independent Inquiry in Kem Ley Murder Case” (8 July 2017), online: <[www.licadho-cambodia.org/pressrelease.php?perm=424](http://www.licadho-cambodia.org/pressrelease.php?perm=424)>.

<sup>99</sup> See O’Neill Tightening, *supra* note 92 at 183.

Phnom Penh's Freedom Park, resulting in four deaths at the hands of soldiers, numerous injuries and 23 detentions.<sup>100</sup>

Third, efforts to disperse the political opposition have been saliently demonstrated through the 'divide and conquer' strategy employed by Hun Sen against the CNRP,<sup>101</sup> particularly against former CNRP leader Sam Rainsy and currently-imprisoned Kem Sokha. This was implemented in July 2016, as "the Phnom Penh Municipal Court ordered Sokha to remain in Cambodia, while in October, the Council of Ministers told both aviation and immigration officials that any plane carrying Rainsy must be turned back."<sup>102</sup> At the end of 2015, "the political atmosphere had become so toxic for the opposition that Rainsy had, once again, fled to France in self-imposed exile."<sup>103</sup> This control through division and intimidation has also been used against the voting populace.<sup>104</sup> In the lead-up to the June 2017 commune elections Prime Minister Hun Sen warned of civil war if overthrown, expressing his willingness to "eliminate 100 or 200 people" to prevent this from happening.<sup>105</sup> In May 2017, Defense Minister, General Tea Banh threatened to beat opposition supporters "until their teeth come out" if they staged demonstrations against the results of the elections, on the assumption that the ruling party would be the victor.<sup>106</sup> The government scrutinized any attempt by the main opposition party to use any dissenting language and accused them on numerous occasions of inciting violence, while using violent language themselves.<sup>107</sup>

Fourth, Hun Sen's regime has also made vast use of legislation as an instrument of controlling civil society. In 2010, the government finalized its draft Law on Non-Governmental

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<sup>100</sup> See Duncan McCargo, "Cambodia in 2014: Confrontation and Compromise" (2015) 55 *Asian Survey* 207 at 207, online: <as.ucpress.edu/content/ucpas/55/1/207.full.pdf>.

<sup>101</sup> See O'Neill Tightening, *supra* note 92 at 182-183.

<sup>102</sup> See O'Neill Tightening, *supra* note 92 at 182-183.

<sup>103</sup> O'Neill Cooperation, *supra* note 91 at 155.

<sup>104</sup> See Andrew Nachemson, "Will CPP threats turn to violence?", *The Phnom Penh Post* (30 May 2017) [Nachemson], online: <www.phnompenhpost.com/politics/will-cpp-threats-turn-violence>.

<sup>105</sup> See Kuch Naren, "Hun Sen Goes on Tirade Against Opponents", *The Cambodia Daily* (26 May 2017) [Naren], online: <www.cambodiadaily.com/second/hun-sen-goes-tirade-opponents-130441/>.

<sup>106</sup> See Nachemson, *supra* note 104.

<sup>107</sup> See Naren, *supra* note 105.

Organizations (LANGO), which “presaged more serious crackdowns, empowering the government to ban organizations supposedly supporting opposition parties or acting somehow to ‘damage’ national security, peace, or safety.”<sup>108</sup> With this law presently in circulation, the government has a deep arsenal through which it may pursue civil society organizations on a wide range of allegations. In November 2017, the government began an inquiry into long-standing local non-governmental organization (“NGO”), the Cambodian Center for Human Rights (“CCHR”), with Hun Sen linking them to a “revolution” and citing the fact that they “follow foreigners.”<sup>109</sup> In 2012, it was noted that Hun Sen had “used the recently adopted anti-corruption law and the penal code to sideline and (non-violently) silence opposition to his rule.”<sup>110</sup>

Fifth, speech has been controlled through restrictions placed on the media. Independent English-language newspaper, *The Cambodia Daily*, was forced to shut down after 24 years in circulation in September 2017 after being slapped with a spurious and exorbitant alleged fee (\$6.3 million) in back-taxes by government authorities.<sup>111</sup> Muzzling of news sources is not a new development, however.<sup>112</sup> In 2012, for example, Beehive radio station director Mom Sonando was sentenced to 20 years in prison on charges of instigating a secessionist movement for reporting on the story of a girl killed in Kratie Province who was involved in a land grabbing conflict between the Casotin rubber company and villagers.<sup>113</sup>

The ruling party has devoted great energy to delineating the boundaries of civil society. Paired with the powerful network of patronage and financial backing of foreign actors to preserve

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<sup>108</sup> Heder, *supra* note 19 at 212.

<sup>109</sup> See Ben Sokhean, “Breaking: PM says prominent human rights NGO ‘must close’”, *The Phnom Penh Post* (26 November 2017), online: <[www.phnompenhpost.com/national-politics/breaking-pm-says-prominent-human-rights-ngo-must-close](http://www.phnompenhpost.com/national-politics/breaking-pm-says-prominent-human-rights-ngo-must-close)>.

<sup>110</sup> Kheang Un, “Cambodia in 2011: A Thin Veneer of Change” (2012) 52 *Asian Survey* 202 at 202 [Un Veneer], online: <[as.ucpress.edu.proxy3.library.mcgill.ca/content/52/1/202.full-text.pdf](http://as.ucpress.edu.proxy3.library.mcgill.ca/content/52/1/202.full-text.pdf)>.

<sup>111</sup> See “Cambodia Daily to close after tax fight with government”, *Al Jazeera* (3 September 2017), online: <[www.aljazeera.com/news/2017/09/cambodia-daily-close-tax-row-government-170903075251607.html](http://www.aljazeera.com/news/2017/09/cambodia-daily-close-tax-row-government-170903075251607.html)>.

<sup>112</sup> See e.g. Un Democracy, *supra* note 6 at 552.

<sup>113</sup> See Un Crossroads, *supra* note 39 at 146.



legitimacy and consolidate power—explored in more detail below—the following section which delineates the contours of civil society demonstrates its resilient character and its value as the starting point for a CWFS.

*Contours: The Pounding Heart of Civil Society*

The way in which the ruling party attempts to control information and dissent—and through it space—for civil society reveals the repressive boundaries of civil society in Cambodia. The resilient voices of the people who are a part of a system that chooses not to make space for them and requires them to fight for it reveals its far more salient contours.

Within the existing repressive boundaries, some voices have been able to slip through the cracks. For example, in 2012, a string of demonstrations by Cambodian workers led to an average salary increase from \$7 to \$73 per month.<sup>114</sup> In 2015, Sar Mora, President of local NGO Cambodian Food and Service Workers Federation, acknowledged that improved conditions for garment workers had enhanced the ability of vulnerable beer promoters facing conditions of sexual assault, harassment, and excessive drinking to negotiate their own working conditions.<sup>115</sup> Following persistent admonishments by civil society,<sup>116</sup> the case of Tep Vanny—an imprisoned land activist and evicted Boeung Kak Lake community member—garnered immense international attention.<sup>117</sup> In June 2017, the four staff members of local human rights organization, Adhoc, and one former member of the National Election Committee were finally released from pre-trial

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<sup>114</sup> See Un Crossroads, *supra* note 39 at 144.

<sup>115</sup> See Shane Worrell & Mom Kunthear, “Beer promoters see change”, *The Phnom Penh Post* (16 January 2015), online: <[www.phnompenhpost.com/national/beer-promoters-see-change](http://www.phnompenhpost.com/national/beer-promoters-see-change)>.

<sup>116</sup> See e.g. Janelle Retka & Sek Odom, “From Housewife to Grassroots Warrior: The Rise of Tep Vanny”, *The Cambodia Daily* (8 August 2017), online: <[www.cambodiadaily.com/news/from-housewife-to-grassroots-warrior-the-rise-of-tep-vanny-133338/](http://www.cambodiadaily.com/news/from-housewife-to-grassroots-warrior-the-rise-of-tep-vanny-133338/)>.

<sup>117</sup> See e.g. Amnesty International, “Release Tep Vanny and allow her the freedom to stand up for her community”, online: <[www.amnesty.org/en/get-involved/take-action/defend-cambodia-human-rights-defender-tep-vanny/](http://www.amnesty.org/en/get-involved/take-action/defend-cambodia-human-rights-defender-tep-vanny/)>; Front Line Defenders, “Tep Vanny Sentenced to Prison”, online: <[www.frontlinedefenders.org/en/case/tep-vanny-sentenced-prison](http://www.frontlinedefenders.org/en/case/tep-vanny-sentenced-prison)>; Jonathan Head, “The price of land development”, *BBC News* (29 March 2013), online: <[www.bbc.com/news/world-asia-21973412](http://www.bbc.com/news/world-asia-21973412)>.

detention awaiting trial on spurious bribery charges.<sup>118</sup> I vividly remember the outpouring of support and love from members of civil society upon their release, with many of my colleagues travelling to the prison to escort them home. I also remember determined looks exchanged between the individuals detained and fellow civil society members as I observed their bail hearing earlier that year. Their release followed extensive action and momentum built by Cambodian civil society and actors in the international community.<sup>119</sup>

The most striking example of civil society voices emerging through the cracks, however, is illustrated by the build-up to the 2017 commune elections and the events which transpired afterwards. No one would have believed that an opposition party could overcome the CPP in an election had this statement been made in 2012, particularly considering the CPP's iron grip on the electorate through a strong network of patronage.<sup>120</sup> Yet, this all changed with the shocking gains for the newly-formed CNRP in 2013. How did this happen?

As Baaz and Lilja state, "two decades after the UN-'implemented' democracy was put in place, Cambodians have gradually started to realize that there is more to democracy than voter registration, voting, and ballots."<sup>121</sup> In line with this notion, Carothers refutes one of the core assumptions of the 'transition paradigm'—wherein countries are either authoritarian or democratic and if they have left the former, they are on their way to the latter—the "belief in the determinative importance of elections."<sup>122</sup> He expands, "[n]ot only will elections give new postdictatorial governments democratic legitimacy, they believe, but the elections will serve to broaden and deepen political participation and the democratic accountability of the state to its

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<sup>118</sup> See Yon Sineat, Ananth Baliga & Mech Dara, "'Adhoc 5' released on bail in case widely seen as political", *The Phnom Penh Post*, (30 June 2017), online: <[www.phnompenhpost.com/national/adhoc-5-released-bail-case-widely-seen-political](http://www.phnompenhpost.com/national/adhoc-5-released-bail-case-widely-seen-political)>.

<sup>119</sup> See e.g. LICADHO Statement, "CSOs call for the Immediate Implementation of the Decision of the UN Working Group on Arbitrary Detention" (21 January 2017), online: <[www.licadho-cambodia.org/pressrelease.php?perm=416](http://www.licadho-cambodia.org/pressrelease.php?perm=416)>

<sup>120</sup> See Norén-Nilsson Gifts, *supra* note 53 at 796; See also Un Democracy, *supra* note 6 at 547.

<sup>121</sup> Baaz, *supra* note 21 at 6.

<sup>122</sup> Carothers, *supra* note 75 at 6-7.

citizens.”<sup>123</sup> As has been shown in the case of Cambodia, elections do not necessarily bring other changes demanded by civil society. Rather, the opposite seems to have been true. With elections, the ruling CPP has given off the illusion of legitimacy while tightening its grip on power through a muzzling of opposing threats as they emerge. Though Hun Sen’s regime has also attempted to disseminate the concepts of “populism” and “people’s democracy” (*pracheathipatey pracheachon*)<sup>124</sup> as a unifying mission of the CPP, its actions imposing repressive boundaries catapulted civil society into calling for change.

Although a wide range of factors have contributed to the CPP’s ability to remain in power and quash the opposition,<sup>125</sup> ultimately patronage, as examined above, remains the driving factor behind the party’s continued success. In contrast, the opposition CNRP offered an alternative model to the CPP’s model of individual prosperity.<sup>126</sup> This new model emphasized equality of citizens and a protection for human rights and was highly critical of the CPP’s subjection of the populace to focus on “immediate survival rather than larger political issues.”<sup>127</sup> While the CPP’s campaign slogan evidenced an approach grounded in an appeal to the greatness of Hun Sen and to the emotional security of voters,<sup>128</sup> which was backed by extensive gift-giving equivalent to vote-buying, the CNRP called for individual political decision-making and choice based on merit.<sup>129</sup>

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<sup>123</sup> *Ibid* at 8.

<sup>124</sup> Astrid Norén-Nilsson, *Cambodia’s Second Kingdom: Nation, Imagination, and Democracy* (Ithaca: Cornell Southeast Asia Program Publications, 2016) at 121.

<sup>125</sup> See Norén-Nilsson Gifts, *supra* note 53 (“[a] range of factors can be plausibly presumed to have contributed, including opposition weaknesses such as in-fighting and factionalism, as well as CPP accomplishments including sustained economic growth, the emergence of a middle class enjoying increased educational and professional opportunities, and the termination of civil war” at 800).

<sup>126</sup> See *Ibid*.

<sup>127</sup> *Ibid* at 800-801.

<sup>128</sup> *Ibid* (“[i]f you love, if you pity, if you like, if you trust Samdech Hun Sen, vote for the Cambodian People’s Party Voting for the Cambodian People’s Party means voting for yourself” at 801).

<sup>129</sup> *Ibid* at 801-802 (“My gasoline, my motorbike, my money, my morale, save my nation. Change! Change! Change!” at 801).

Yet, despite the resonance of the CNRP's campaign slogan and the massive momentum the CNRP gained over the years, the party came crashing down on the heels of Kem Sokha's arrest. On 11 September 2017, CNRP Members of Parliament boycotted a debate on the question of stripping Sokha of his parliamentary immunity in order to charge him with the spurious charges levelled against him.<sup>130</sup> Hun Sen weighed in on the developments on 19 November 2017 after a 2013 video of former CRNP leader Sam Rainsy and Kem Sokha surfaced calling for the organization of a new government, to which Hun Sen responded that he would have assassinated them had he seen the video at the time.<sup>131</sup> Between September and November 2017, numerous opposition party members, including CNRP Vice-President Mo Sochua, were forced to flee the country out of fear of persecution.<sup>132</sup> Sokha has been detained behind bars since 3 September 2017 awaiting trial, and has been prevented from attending hearings on his own case for 'security concerns'—his sentence on conviction is 30 years' imprisonment.<sup>133</sup> The debacle came to a head on 16 November 2017 as the Supreme Court made its decision to dissolve the CNRP, banning the 118 senior officials of the party from politics for five years and turning over all its 489 commune chiefs and 55 seats in the National Assembly.<sup>134</sup>

At first glance, the CNRP's dissolution may suggest the momentum was for naught and that, in the end, civil society was defeated by the CPP. Rather, it may be seen under a certain light

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<sup>130</sup> See Ros Chanveasna, "CNRP boycotts Kem Sokha debate", *The Khmer Times* (11 September 2017), online: <[www.khmertimeskh.com/5082271/cnrp-boycotts-kem-sokha-debate/](http://www.khmertimeskh.com/5082271/cnrp-boycotts-kem-sokha-debate/)>.

<sup>131</sup> See Niem Chheng & Daphne Chen, "Rainsy and Sokha 'would already be dead': PM", *The Phnom Penh Post* (23 November 2017), online: <[www.phnompenhpost.com/national-politics/rainsy-and-sokha-would-already-be-dead-pm](http://www.phnompenhpost.com/national-politics/rainsy-and-sokha-would-already-be-dead-pm)>.

<sup>132</sup> See Oliver Holmes, "World must wake up to crackdown in Cambodia, says exiled opposition politician", *The Guardian* (13 October 2017), online: <[www.theguardian.com/world/2017/oct/13/crackdown-cambodia-exiled-opposition-mu-sochua](http://www.theguardian.com/world/2017/oct/13/crackdown-cambodia-exiled-opposition-mu-sochua)>.

<sup>133</sup> See Omar Havana, "Cambodia: Appeal to free Kem Sokha denied by the top court", *Al Jazeera* (31 October 2017), online: <[www.aljazeera.com/indepth/inpictures/2017/10/cambodia-appeal-free-kem-sokha-denied-top-court-171031113753281.html](http://www.aljazeera.com/indepth/inpictures/2017/10/cambodia-appeal-free-kem-sokha-denied-top-court-171031113753281.html)>.

<sup>134</sup> See Ben Sokhean, "Breaking: Supreme Court rules to dissolve CNRP", *The Phnom Penh Post* (16 November 2017), online: <[www.phnompenhpost.com/national/breaking-supreme-court-rules-dissolve-cnrp](http://www.phnompenhpost.com/national/breaking-supreme-court-rules-dissolve-cnrp)>.

as a victory; the CPP is on its heels and by resorting to oppressive action to shut down the will of the populace, it has indicated that civil society in Cambodia is strong as ever. After all, the ruling party's "deep-seated intolerance for anything more than limited opposition and the basic political configuration over which they preside breed the very problems they publicly commit themselves to be tackling."<sup>135</sup> Removing the opposition must surely be a last resort option of a regime seeing power slip between its fingers.

Thus, considering the divergence between the offerings on the table, the increasing CNRP momentum indicated a growing desire for basic rights and liberties. The rise of the CNRP revealed that civil society can overcome the deeply embedded system of patronage and the legitimizing economic stability of the regime when it is pushed far enough, thus lying at the heart of a CWFS.

#### **Part V: Alternative Pulses: Actors in the International Community**

Above, I attempted to demonstrate the necessity, and possibility, of using civil society as a starting point for a CWFS. Despite the overarching system of patronage and the attempts by the government to repress civil society, there still emerged a tremendous groundswell of support for the opposition CNRP. This momentum arose from a party offering an alternative to the status quo, an idea of change that resonated with the populace, so much so that it had the potential to change the guard in the 2018 national election before its dissolution.

This paper now turns to a discussion on various actors in the international community. Although it is beyond the scope of this paper to conduct an in-depth analysis on any of these actors and many avenues for further analysis and questioning are left outstanding, this section aims to touch on several interrelated issues to serve as a starting point for further reflection. The analysis proceeds in three parts. First, the diminished role for the United States and China is discussed. This discussion reveals the two tensions of the rejection of foreign intervention in the name of State sovereignty and the imposition of foreign non-context-specific directives and objectives on the country. The second and third sections address these two tensions in turn by considering various actors in the international community. Ultimately, there is

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<sup>135</sup> Carothers, *supra* note 75 at 13.

a supporting role to be played by these actors in a CWFS—to varying degrees—in bolstering the initiatives of civil society and backing their demands for change. However, deference must be given to the desires of civil society.

### *Diminished Role for the United States and China*

At the forefront of the limitations facing the American and Chinese involvement in Cambodia lies their competing strategic interests. In recent years, the United States has seen its scope of influence in Cambodia decline. This has been attributed to two main reasons, the first being a shift away from broad concepts of human rights and democracy towards narrower ends, including “anti-terrorism, anti-drug trafficking, and countering China’s influence.”<sup>136</sup> The second reason is related to the first, as the United States fears pushing Cambodia further towards China if it continues to assert pressure.<sup>137</sup> In contrast, China has seen its influence in Cambodia skyrocket in recent years. From 2001-2011, China became the country’s “largest donor, investor and trade partner”<sup>138</sup> and its top conduit for FDI.<sup>139</sup> As of 2012, China had presented Cambodia with upwards of \$10 billion in loans and grants since 1997, only \$2 billion less than other partners combined.<sup>140</sup>

It has been asserted that China’s presence in Cambodia has allowed the ruling party to remove itself from the scope of Western influence.<sup>141</sup> Speaking at a press conference, Chinese Foreign Ministry spokesperson Geng Shuang asserted that China “has always supported Cambodia in following the development path suited to its national conditions and the Cambodian government’s effort to uphold national security and stability.”<sup>142</sup> Cambodia serves as a useful strategic ally for China, evident in Cambodia’s support for China’s claims in the South China Sea and especially in its rejection of the Permanent Court of

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<sup>136</sup> Un Veneer, *supra* note 110 at 206.

<sup>137</sup> See Un Crossroads, *supra* note 39 at 148.

<sup>138</sup> Un Veneer, *supra* note 110 at 206.

<sup>139</sup> See O’Neill Cooperation, *supra* note 91 at 159.

<sup>140</sup> See Un Crossroads, *supra* note 39 at 147.

<sup>141</sup> See Un Veneer, *supra* note 110 at 206.

<sup>142</sup> Ananth Baliga & Phak Seangly, “Hun Sen hits at US foreign policy”, *The Phnom Penh Post* (5 September 2017), online: <[www.phnompenhpost.com/national/hun-sen-hits-us-foreign-policy](http://www.phnompenhpost.com/national/hun-sen-hits-us-foreign-policy)>.

Arbitration's decision on the matter in favour of the Philippines.<sup>143</sup> Where China blindly supports the government and continues to provide funding without regard for the actions it is consolidating against civil society,<sup>144</sup> it simultaneously hands the CPP greater legitimacy and power.

Thus, there are two general tensions revealed through American and Chinese involvement in Cambodia. First, the strategic interests overshadow effective action. With China providing immense amounts of funding without regard for the country's political and social affairs, it is equipping the CPP with the ability to continue repressing civil society. This problem has been exacerbated by the CPP's rejection of intervention in its affairs and the subsequent lessening of pressure by foreign countries.<sup>145</sup> Second, it is undesirable and indeed detrimental for States to impose upon Cambodia interpretations of proper 'democratization' or 'development'. Below, various other international actors are considered through these tensions to elucidate several pathways for further analysis.

### *State Sovereignty: An Enhanced Regional Role*

It is perhaps at the juncture of State sovereignty concerns that a role emerges for regional bodies such as the Association of Southeast Asian Nations ("ASEAN") and regional State actors such as Japan and South Korea. ASEAN may contribute by continuing the work it has done in terms of corporate social

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<sup>143</sup> See O'Neill Cooperation, *supra* note 91 at 184.

<sup>144</sup> See "US Pulls Cambodia's Elections Funding; Hun Sen Says Cut It All", VOA News (19 November 2017) [VOA], online: <[www.voanews.com/a/us-cambodia-election-funding-hun-sen/4125151.html](http://www.voanews.com/a/us-cambodia-election-funding-hun-sen/4125151.html)>.

<sup>145</sup> See e.g. "Cambodia's Hun Sen renews criticism of United States amid escalating row", *Reuters* (11 October 2017), online: <[www.reuters.com/article/us-cambodia-politics/cambodias-hun-sen-renews-criticism-of-united-states-amid-escalating-row-idUSKBN1CG0RX](http://www.reuters.com/article/us-cambodia-politics/cambodias-hun-sen-renews-criticism-of-united-states-amid-escalating-row-idUSKBN1CG0RX)>; Ben Sokhean, "US 'killing democracy': Amid government crackdown on opposition, Hun Sen blames superpower", *The Phnom Penh Post* (9 November 2017), online: <[www.phnompenhpost.com/national/us-killing-democracy-amid-government-crackdown-opposition-hun-sen-blames-superpower](http://www.phnompenhpost.com/national/us-killing-democracy-amid-government-crackdown-opposition-hun-sen-blames-superpower)>; "US Pulls Cambodia's Elections Funding; Hun Sen Says Cut It All", VOA, *supra* note 144; Mech Dara & Ananth Baliga, "Hun Sen amps up attacks on US", *The Phnom Penh Post* (18 September 2017), online: <[www.phnompenhpost.com/national/hun-sen-amps-attacks-us](http://www.phnompenhpost.com/national/hun-sen-amps-attacks-us)>.

responsibility and human rights.<sup>146</sup> As Cambodia is a member of the Association and as the aims come from a regional position, rather than emanating from the West, it is possible Cambodia would not be so quick to shun criticisms as invasions of sovereignty. Similarly, Japan and South Korea, due to their regional proximity have great potential to support civil society by listening to its demands and engaging with the country. If left out of sight, Cambodia will certainly be left out of mind. While tactfully using loans is contentious considering China is a bulwark against any amounts provided to the country with strings attached, there is possible room for maneuvering around this iron grip on monetary influence. For instance, in 2011, Japanese and South Korean loans were five times lower than those from China.<sup>147</sup> Perhaps these could be leveraged to support civil society and compete with China's unbounded support.

Nevertheless, despite ASEAN's potential, there are some present concerns which require first being addressed. Notably, there is the concern that China's presence in ASEAN has undermined the efforts of the Association, particularly in terms of Cambodia.<sup>148</sup> Though Cambodia had a strong opportunity to assert influence internationally, being given the chairmanship of ASEAN in 2012, concern has arisen that China played a significant role in dictating the annual agenda.<sup>149</sup> One commentator posited, "China's soft power—propelled by diplomatic efforts, trade and investment, and economic assistance—has undermined ASEAN's unity as Beijing drew Burma, Laos, and Cambodia into its orbit."<sup>150</sup>

#### *Imposed Directives: Self-Guiding Rules and Focus*

Moreover, there is the concern that foreign imposed conceptualizations are unsuitable for developing an effective CWFS. For example, Springer examines the use of 'culture of violence' discourse regarding Cambodia, particularly the notion

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<sup>146</sup> See Thomas Thomas "Wither corporate social responsibility and the UN Guiding Principles on business and human rights in ASEAN?" in Mohan, Mahdev & Cynthia Morel, eds, *Business and Human Rights in Southeast Asia: Risk and the Regulatory Turn* (Abingdon: Routledge, 2015) 13 at 13.

<sup>147</sup> See Un Veneer, *supra* note 110 at 206.

<sup>148</sup> See Un Crossroads, *supra* note 39 at 147.

<sup>149</sup> See *Ibid.*

<sup>150</sup> Un Crossroads, *supra* note 39 at 147.



that violence is a context-specific entity unable to move across places.<sup>151</sup> He posits that “there is a need to acknowledge the implications of such place-based ideas concerning violence, as they have an uneasy tendency to implicate certain peoples, primarily in ‘non-western’ spaces, as ‘backward’ or ‘savage others’.”<sup>152</sup> Mutua has warned similarly against the usage of what he calls the savior-victim-savage (SVS) construction, prevalent in the human rights discourse arising out of the West.<sup>153</sup> The Paris Peace Agreement that put an end to civil unrest in the country in the 1990s—an agreement that enshrined in Article 15(2)(a) the need “to support the right of all Cambodian citizens to undertake activities which would promote and protect human rights and fundamental freedoms”<sup>154</sup>—has been shown to be ineffective in protecting civil society from CPP repression. As one commentator has put it, the years that have followed the Paris Peace Agreement have been “war by other means.”<sup>155</sup>

International organizations may nonetheless find space to act in this context, for instance by providing guiding principles for international business actors to follow in their engagement in the country. One notable area of guidance for international business actors is found in the UN’s *Protect Respect and Remedy Framework*, “based on three pillars, being the duty of States to protect human rights, the responsibility of corporations to respect human rights, and the need to ensure access by victims to both judicial and non-judicial remedies where business-related human rights abuses do occur.”<sup>156</sup> In 2011, this framework was incorporated into the United Nations Guiding Principles on Business and Human Rights (“GPs”), an increasingly recognized

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<sup>151</sup> Simon Springer, “Culture of violence or violent Orientalism? Neoliberalisation and imagining the ‘savage other’ in post-transitional Cambodia” (2009) 34 *Trans Inst Br Geogr* 305 at 308, online: <[onlinelibrary.wiley.com/doi/10.1111/j.1475-5661.2009.00344.x/epdf](http://onlinelibrary.wiley.com/doi/10.1111/j.1475-5661.2009.00344.x/epdf)>.

<sup>152</sup> *Ibid* at 308.

<sup>153</sup> Makua Mutua, “Savages, Victims, and Saviors: The Metaphor of Human Rights” (2001) 42 *Harv. Int’l L. J.* 201 at 202.

<sup>154</sup> *Agreement on a Comprehensive Political Settlement of the Cambodia Conflict*, Cambodia and 18 state parties, 23 October 1991, 1663 UNTS 27 at art 15(2)(a).

<sup>155</sup> Ear, *supra* note 32 at 151.

<sup>156</sup> Mahdev Mohan, “Human rights risks amidst the ‘gold-rush’: Cambodia, Laos, Myanmar and Vietnam” in Mohan, Mahdev & Cynthia Morel, eds, *Business and Human Rights in Southeast Asia: Risk and the Regulatory Turn* (Abingdon: Routledge, 2015) 133 at 138.

set of rules.<sup>157</sup> While in 2010 the CPP warned various UN officials to refrain from commentary on human rights in the country or else face expulsion or closure of UN operations,<sup>158</sup> the GPs offer a potential alternative method to promote conduct by international actors—in this case business actors—in alignment with the desires of Cambodian civil society. With an abundance of national governments in the West and NGOs joining the call for human rights responsibilities in business,<sup>159</sup> this provides an effective example of an international guiding set of rules that frame external movements within and towards the country rather than attempting to impose directives upon the country.

Furthermore, regarding international NGOs and donors, it is imperative that they do not lose sight of what is actually happening in the country in favour of goals that are self-serving or limited to the provision of services. As Strangio states, “[s]eeking the greatest ‘outcomes’ at the smallest cost, donors have shifted their focus to social sectors like health and education, especially those linked to the UN’s Millennium Development Goals (MDGs).”<sup>160</sup> Although these services are certainly necessary to provide and are in great demand, there is a fine line between providing necessary services and removing the government’s responsibility from providing these.<sup>161</sup> Doing so allows the CPP to continue pouring money into the maintenance of the network of patronage and the consolidation of power.<sup>162</sup> International NGOs and donors should look for ways to balance service provision with support for local groups and organizations that seek resources to implement what they designate as necessary. The opening of a new school may look good in a year-in-review report<sup>163</sup> but at the end of the day, the difference does not extend far beyond the pages.

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<sup>157</sup> See Delphia Lim & Geetanjali Mutherjee, “Business and human rights challenges in ASEAN: the role and modalities of the State” in Mohan, Mahdev & Cynthia Morel, eds, *Business and Human Rights in Southeast Asia: Risk and the Regulatory Turn* (Abingdon: Routledge, 2015) 30 at 30.

<sup>158</sup> See Heder, *supra* note 19 at 212.

<sup>159</sup> See Christopher L Avery, “Business and Human Rights” in Iyer, Venkat, ed, *Democracy, Human Rights and The Rule of Law: Essays in Honour of Nani Palkhivala* (New Delhi: Butterworths India, 2000) 173 at 190-194.

<sup>160</sup> Strangio, *supra* note 63 at 227.

<sup>161</sup> See *Ibid.*

<sup>162</sup> *Ibid.*

<sup>163</sup> *Ibid.*

Finally, the international media can play a role in retaining its interest in Cambodia beyond the current coverage of Kem Sokha's arrest and the dissolution of the CNRP. Regardless of the big-ticket events, there will continue to be local voices and stories in need of coverage to help bolster NGO and donor support for local groups and to hold international businesses accountable for their practices in the country. Coverage should be robust and emphasize the engagement of civil society, not simply services requiring provision or shocking developments in Cambodia.<sup>164</sup>

### *In Sum*

Although several avenues through which various actors in the international community may form part of the CWFS have been identified, they are by no means exhaustive. Nonetheless, they provide an overview of the kinds of approaches actors in the international community may take. Ultimately, roles to be played must remain robust and focused both on repression and civil society. Rules which guide actors in the international community are likely to be more effective—and practicable—than those which attempt to impose upon Cambodia various directives or objectives.

### **Conclusion**

Given the complex and interrelated elements—including a ruling party functioning as an autonomous self-serving engine—that must be considered when grappling with a problem in Cambodia, identifying the starting point is a paramount exercise. A CWFS must commence with civil society. It is here where the strategy may derive its greatest force and reap its largest impact, as evidenced by the lead-up to the 2017 commune elections and Kem Sokha's arrest on 3 September 2017. Certainly, there is a role to be played by the international community to assist civil society in fulfilling its self-identified desires. However, care should be taken to ensure these are practicable and are not thrust upon the country. With a resilient and robust civil society capable of

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<sup>164</sup> See e.g. Holly Robertson, "Locking up babies: Cambodia drug war ensnares children", *Al Jazeera* (3 December 2017), online: <[www.aljazeera.com/news/2017/12/locking-babies-cambodia-drug-war-ensnares-children-171203184031205.html](http://www.aljazeera.com/news/2017/12/locking-babies-cambodia-drug-war-ensnares-children-171203184031205.html)>.

overcoming immense barriers, the voices within should be given the chance to ring.

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