



# General Assembly

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## Human Rights Council

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Agenda item 10

### Technical assistance and capacity-building

## Written statement\* submitted by Liberal International, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2023]

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\* Issued as received, in the language of submission only.



## **Report on Post-Election Oppression in Cambodia**

In this communication we would like to bring to your attention reports of the current worsening crisis of human rights and democracy in Cambodia as relayed by several civil society organisers in the wake of the undemocratic elections of July 2023. While civil society mobilises to protest the illegality of the July 2023 elections, Prime Minister Hun Sen's crackdown on dissidents, grassroots organisations, and free speech suppresses the exercise of Cambodians' fundamental rights and freedoms.

### **A. Illegitimate elections**

The July 2023 elections were conducted with little legitimacy and activists who denounce the results face severe consequences for defending democratic procedure. The election was one-sided and virtually uncontested after most opposition was barred from running. The subsequent appointment of Hun Manet as his father Hun Sen's successor is an illegal and unconstitutional violation of basic democratic principles.

Voters who spoiled their ballots in protest after voter boycotts were banned and threatened with legal consequences by Hun Sen.

Cambodian grassroots national election monitoring effort reported that based on the findings of the Commission of Inquiry for Cambodia, the United Nations, and its own research, none of the landmarks and benchmarks in the Report of the Special Rapporteur on the situation of human rights in Cambodia (A/HRC/51/66) were implemented during the July 2023 elections, in direct violation of Cambodia's international obligations and the recommendations of international bodies.

The United Nations Secretary General António Guterres stated that implementing these landmarks and benchmarks were essential to form a free, fair, and legitimate basis for the July 2023 elections. Given that these recommendations were not met, these elections cannot be considered free, fair, legitimate, or democratic.

### **B. Civil society oppression**

Civil society and activists are regularly threatened and intimidated by the Hun Sen regime.

During the election season, Grassroots Monitoring Initiative reported that detentions intensified, and grassroots monitors were threatened. Grassroots Monitoring Initiative reports that severe threats were issued in the form of three options: join the Cambodian People's Party, issue a public statement that monitors would permanently stop working in civil society, or have their life threatened by the regime.

On April 29th, Khmer Civil Society Organization held a zoom meeting discussing concerns of Cambodia's upcoming national elections. Following the meeting, Cambodian news outlet DAP News broadcast a statement by Hun Sen with screenshots of the meeting identifying the names and faces of the attendees in which Mr. Sen warned them against returning to Cambodia.

Some activists' families have been threatened with losing their jobs and ability to earn a living.

Candle Light party members in Cambodia continue to face threats of arrest, and some are fleeing to Thailand.

### **C. Arbitrary detentions**

Dissidents are arbitrarily arrested and detained without a court order and without due process. Civil society organisers report dissidents are often jailed without trial. Detained persons are told they will have the nature of their charges disclosed until they get a lawyer, but the wait to get a lawyer places a burden on their families who have lost a source of financial support.

Prisoners also fear that by getting a lawyer their charges will be upgraded to offences carrying a sentence of five years or longer.

Reports of these conditions have come from members of the Farmers Association, labour advocates, and Cambodia National Rescue Party members, even those who are not active in the new Candlelight Party.

Liberal International has heard reports that prisoners are detained under inhumane conditions. They are served poor or spoiled food and are resorting to drinking sewer water for hydration.

We are furthermore concerned about the treatment of women activists and the gendered implications of arbitrary detention. They have been subject to violence and deprived of necessary legal protections.

Liberal International would like to implore the Special Rapporteur on the situation of human rights in Cambodia to continue monitoring these cases and to bring them to the forefront of international consciousness and diplomacy with Cambodia.

Theary Seng undertook a ten-day hunger strike in prison after the UN Working Group on Arbitrary detention urged for her immediate release.

Sithar, Chhim, President of the Labor Rights Supported Union of Khmer Employees of Nagha World, remains in prison serving a two-year sentence.

Vorng, Runny, President of the National Women's Movement of the Candlelight Party, remains in pre-trial detention after she was arrested on July 17, 2023 for "incitement to commit and create social chaos to elections in 2023."

Nou, Sitheary, Deputy of the National Women's Movement of the Candlelight Party, is serving a two-year prison sentence and was fined 5 million riels for alleged fraud and embezzlement.

Land activists Phav, Nheung; Det, Huor; Yi, Kunthea; Tin, Tang; Seng, Lin; Soung, Theng; Heang, Thea; Heang, Thiv; Lan, Lorn; and Phlorn, Sokhaison are serving prison sentences after advocating for the land rights of their communities. Their arrests were made without proper warrants and appear to be politically motivated. Given that land disputes disproportionately affect women, the deprivation of women's land rights and the wrongful convictions of land activists particularly exacerbates women's issues.

## **D. Recommendations**

Liberal International calls on the Special Rapporteur to:

Not recognize the results of the 2023 elections nor Hun Manet as a legitimate successor to Hun Sen;

Publish a review on and prioritise the implementation of the landmarks and benchmarks in the Report of the Special Rapporteur on the situation of human rights in Cambodia (A/HRC/51/66);

Support capacitation for elections observers and monitoring groups;

Monitor and evaluate the cases of Theary Seng, Chhim Sithar, Runny Vorng, Sitheary Nou, Nheung Phav, Huor Det, Kunthea Yi, Tang Tin, Lin Seng, Theng Soung, Thea Heang, Thiv Heang, Lorn Lan, and Sokhaison Phlorn, refer these cases to the UN Working Group on Arbitrary Detention, and demand the release of Cambodia's arbitrarily detained activists;

## **Monitor the gendered impacts of the Cambodian regime's abuses of power; and**

Strongly condemn and hold accountable the Cambodian government in the April 2024 Universal Periodic Review of Cambodia.

Save Cambodia, NGO(s) without consultative status, also share the views expressed in this statement.