

# Human Rights and Justice Challenges in Cambodia

While Cambodia has enjoyed impressive economic growth over the past decade, such growth has not been evenly distributed or always abided by the norms of democratic institutions. Although land concessions have been a central feature of the country's economic strategy, Cambodians have witnessed a significantly shrinking space for civil society as a result of economic expansion at the expense of economical and political rights of the most vulnerable people.



A 2012 report from the Cambodian Human Rights and Development Association showed that 30,009 families across 127 local communities were forcibly evicted from their homes and lands, and 606 more communities were facing the possibility of being evicted in future. Human rights defenders, stepping in to protect these communities, often face violence themselves. In fact, in 2012 alone, there were five incidents of shooting at land protesters, 19 cases of protesters being injured, and the involvement of armed forces which resulted in the tragic killing of a 14-year old girl in May 2012.

The justice system has often been cited as suppressing the voices of nongovernmental organizations (NGOs), unions, the media, and individual community activists such as human rights defenders and NGO staff. Most commonly, activists or civil society representatives have been charged with criminal offenses such as defamation, incitement to commit a misdemeanor or felony, property destruction, encroachment on private lands, forgery of private and public documents, and opposition to public officials by violence. Responding to these criminal charges is not easy. Even among judges, prosecutors, and lawyers there is insufficient understanding of the complexity of the laws which often results in their misapplication.

## APPROACH

In order to ensure that Cambodians have access to fair treatment under the law and have their rights protected, The Asia Foundation is working to train lawyers to better represent human rights defenders, and to strengthen the capacity of local NGOs and CBOs to push for legal reform.

The Foundation's Human Rights & Justice program in Cambodia is focusing on enhancing respect for human rights and addressing the problem of a shrinking space for civil society by enhancing respect for land rights, freedom of assembly, association and expression; raising awareness of these rights across the country, including among indigenous people and rural grassroots human rights defenders; and increasing citizens' practical ability to claim and to advocate for their basic rights.

## ACTIVITIES

To address the above issues, The Asia Foundation's Human Rights and Justice program is undertaking the following activities:

- Developing a training curriculum on the fundamental freedoms of expression, assembly, and association.



## CAMBODIA

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- Providing train-the-trainers sessions to NGOs and community-based organizations on these fundamental freedoms.
- Guiding selected organizations on the replication of training to organizations in their network.
- Training an expert cadre of lawyers who are registered with the Bar Association, in the critical legal areas of incitement and defamation.
- Training organizations and frontline human rights defenders.
- Piloting a new model of incentive-based legal aid provision.
- Developing a mechanism that provides access to free legal advice on the most critical human rights issues.

“Now that I have received legal training I feel more confident challenging authorities when they threaten to arrest people.”

– Activist from Kratie

- Developing an innovative online platform for the free provision of legal information.
- Supporting NGOs to provide legal services and technical capacity to communities and individual victims of rights-based violations.
- Establishing a working group to share best practice on priority legal issues to inform policy dialogue and recommendations to legal and judicial institutions.

## ACHIEVEMENTS

- Specialist legal aid cadre recruited and trained.
- Pioneering online legal information site established.
- Participated in and supported Human Rights Day activities and events.
- Reaching all Cambodian provinces through effective programs.

## EXPERIENCE

The Asia Foundation has worked in Cambodia since 1955, with its current office established in 1993. Since then the Foundation has worked on the ground with a large number of NGOs, government agencies, community-based groups, business associations, and educational institutions to support the country’s democratic development. Programs have been carried out in every province and nearly every district across the country, and the Foundation has built deep working relationships with a broad network of government and nongovernmental partners at national, provincial, and local levels.

*The Asia Foundation is a nonprofit international development organization committed to improving lives across a dynamic and developing Asia. Headquartered in San Francisco, The Asia Foundation works through a network of offices in 18 Asian countries and in Washington, DC. Working with public and private partners, the Foundation receives funding from a diverse group of bilateral and multilateral development agencies, foundations, corporations, and individuals.*



### HEADQUARTERS

465 California Street,  
9th Floor  
San Francisco, CA 94104 USA  
Tel: (415) 982-4640  
Fax: (415) 392-8863  
info@asiafoundation.org

### WASHINGTON, DC

1779 Massachusetts Ave., NW  
Suite 815  
Washington, D.C. 20036 USA  
Tel: (202) 588-9420  
Fax: (202) 588-9409  
info@asiafound-dc.org

### CAMBODIA

House No. 59  
Oknha Peich (St 242)  
Phnom Penh, Cambodia  
Tel: + 855 (23) 210-431  
Fax: + 855 (23) 217-553  
tafcb@asiafound.org

[www.asiafoundation.org](http://www.asiafoundation.org)