



Joint Submission by Freedom House and Robert F. Kennedy Human Rights

for the 46th Session of the Universal Periodic Review Working Group, May 2024

Cambodia

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Robert F. Kennedy Human Rights (RFK): RFK is a nongovernment organization based in Washington, D.C. Founded in 1968 as a living memorial, it strives to achieve its namesake's vision of a more just and peaceful world. RFK Human Rights partners with civil society leaders globally to protect civic space through advocacy and strategic litigation. Vice-President of International Advocacy and Litigation, Angelita Baeyens, +1.202.463.7575, legal@rfkhumanrights.org, baeyens@rfkhumanrights.org.

Executive summary

1. As organizations promoting freedom of expression and the rule of law, this submission focuses on Cambodia's compliance with international human rights obligations related to (i) freedom of opinion and expression, (ii) freedom of the press, and (iii) progress made since the last review in 2019. This submission addresses the treatment of journalists¹ and human rights defenders, and includes a few emblematic cases of individuals whose critical speech was criminalized under similar frameworks.
2. In particular, the concerns raised in this submission relate to:
 - Cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion;
 - Incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion;
 - Imprisonment and lengthy sentences of journalists and human rights defenders expressing an opinion;
 - Invocation of criminal incitement and anti-state charges against journalists and human rights defenders expressing an opinion;

- Denial of the right to a fair trial and appeals process; and
- Suspension and revocation of journalists' licenses, internet restrictions, censorship, and blocked access to online content.

Human rights instruments referred to in this submission

3. Article 31 of the Cambodian Constitution affirms Cambodia's attachment to the fundamental freedoms enshrined in the United Nations Charter, the Universal Declaration of Human Rights, and "the covenants and conventions related to human rights," including to principles of freedom of opinion and expression, and encompassing press freedom.² Article 41 of the Cambodian Constitution further provides that "citizens shall have freedom of expression of their ideas, freedom of information, freedom of publication and freedom of assembly."³ The Constitution of Cambodia therefore protects a fundamental right which includes principles of freedom of opinion and expression, and encompasses press freedom. However, the right is not unqualified, as the practice of such rights may not "infringe upon the honor of others, or [] affect the good customs of society, public order and national security" and the media regime is determined by law.⁴
4. Article 19 of the Universal Declaration of Human Rights enshrines the principle of freedom of opinion and expression, noting that "the right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."⁵ Articles 8, 9, 10, and 11 protect the right to an effective remedy and to a fair trial, the presumption of innocence, and the prohibition on arbitrary arrest, detention or exile.
5. Cambodia ratified the International Covenant on Civil and Political Rights ("**the Covenant**") in 1992. The Covenant sets forth the principle in its Article 19 that "[e]veryone shall have the right to hold opinions without interference" and to "freedom of expression" which includes "freedom to seek, receive and impart information."⁶ Those rights are subject to restriction only as provided by law and necessary for the respect of rights or reputations of others or for the protection of national security, public order, public health or morals.⁷ Article 9(1) of the Covenant provides that no one shall be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law. Article 9(2) requires that anyone who is arrested shall be informed, at the time of arrest, of the reasons for his or her arrest. Article 9(3) provides that: "Anyone arrested or detailed on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release."⁸ Article 14 of the Covenant also sets forth a right to a fair trial before an independent and impartial court. In its ninetieth session, the Human Rights Committee issued General Comment No. 32 which notes that, in cases regarding the determination of criminal charges against individuals or of

their rights and obligations in a suit at law “[t]he right to a fair and public hearing by a competent, independent and impartial tribunal established by law is guaranteed, according to the second sentence of article 14, paragraph 1 [of the Covenant].”⁹

6. Cambodia ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“**CAT**”) in 1992. Article 1 defines “torture” as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession [. . .].”¹⁰ Article 11 of the CAT provides that each party shall keep their interrogation rules, methods, instructions and practices under systematic review, and have arrangements to prevent any cases of torture against people subjected to any form of arrest, detention or imprisonment.¹¹
7. Since 2013, Cambodia is also part of the International Convention for the Protection of All Persons from Enforced Disappearance (“**ICCPE**”). Article 17 establishes a set of conditions for the treatment of people deprived of their liberty including the proscription of secret detention, a duty to authorize communications and visitations by their families, counsel or any other person of their choice, among others.¹²

Implementation of recommendations from previous review

8. Our commentary on the recommendations supported from the previous Universal Periodic Review (“**UPR**”) cycle are contained in the matrix of relevant recommendations in Appendix 1. No recommendations that were accepted or noted can be considered “partially achieved”. Thirty-eight recommendations relevant to freedom of expression and press freedom which were supported are “not implemented.”

Update on situation for freedom of expression since the last review

General observations

9. Threats to freedom of expression and press freedom are occurring on multiple fronts: (i) cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion, (ii) incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion, (iii) imprisonment and lengthy sentences of journalists and human rights defenders expressing an opinion, (iv) invocation of criminal incitement and anti-state charges against journalists and human rights defenders expressing an opinion, (v) denial of the right to a fair trial and appeals process, (vi) suspension and revocation of journalists’ licenses, internet restrictions, censorship, and blocked access to online content. These factors are limiting the right to freedom of expression and press freedom in Cambodia. These issues must be simultaneously addressed by the state in order to ensure the aforementioned rights.

Specific issues of concern

10. For each of the themes below, a detailed list of incidents reported between 2019 and the date of this submission is contained in Appendix 2.

Cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion

11. Over the past five years, there have been documented incidents of violence against journalists carried out by private actors. Several instances of violence have occurred against journalists reporting on the timber trade and land disputes. In September 2020, four journalists were beaten by a group of alleged timber traders.¹³ In June 2022, journalist Try Sophal was beaten after filming a bulldozer clear state land.¹⁴ In July 2022, San Sim, a local journalist for Somraek Satrei Khmer, was beaten by cross-border timber traders, seemingly in connection with his work photographing and reporting on the illegal timber trade.¹⁵ In August 2022, Sou Senghak of Samarakot News was physically assaulted by an army officer, after observing a potentially illegal timber transportation. After Sou Senghak filed a complaint with the authorities, a settlement agreement was reached and as part of the agreement Samarakot News retracted its story.¹⁶
12. Journalists covering cockfighting have also been targets of violence. In September 2021, four journalists were attacked by the sibling of a corporate tycoon while attempting to photograph cockfighting.¹⁷ In August 2022, following publication of his article on illegal cockfighting, which contained allegations of official involvement in the scheme, Sun Kvancha of Penh Chet Media was threatened and his car was shot at by an anonymous person.¹⁸
13. Several human rights defenders have been detained and/or arrested as a result of their social media posts. In 2019, Kong Raiya, a former member of the CNRP, was arrested alongside four family members for posting on Facebook advertising t-shirts with the image and quotes of Kem Ley, a government critic murdered in 2016.¹⁹ Whilst in prison, Kong Raiya was held in a severely overcrowded cell.²⁰

Incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion

14. Journalists remain subject to lengthy periods of pre-trial detention. In April 2019, the United Nations Working Group on Arbitrary Detention (“**UNWGAD**”) issued an opinion concerning the detention of two former journalists from Radio Free Asia (“**RFA**”), Yeang Sothearin and Uon Chhin, concluding that their deprivation of liberty was “in contravention of Articles 9, 10, 11 (1), 19 and 20 of the Universal Declaration of Human Rights and Articles 9, 14, 19 and 22 of the International Covenant on Civil and Political Rights”.²¹ Both individuals were arrested without warrant and were not informed of the reasons behind their arrest. Their right to a fair

trial was violated multiple times both in police custody and in pretrial detention. Yeang Sothearin's passport was not returned to him until October 2022.²²

15. In 2020, journalist Ros Sokhet was arrested for allegedly inciting to provoke serious chaos in social security for criticizing Prime Minister Hun Sen on his Facebook page. Ros Sokhet remained in pre-trial detention for almost four months, following which his hearing only lasted one hour and a half.²³
16. In January 2022 five journalists were arrested for allegedly inciting individuals to conduct a protest against the authorities, following their reporting on a land dispute.²⁴ They remained in detention and were only released at the end of July 2022, following a negotiation.²⁵

Imprisonment and lengthy sentences of journalists and human rights defenders expressing an opinion

17. In the previous UPR cycle, Cambodia was given several recommendations in connection with individuals detained for their peaceful exercise of freedom of expression, including journalists and human rights defenders who had been charged and faced prison sentences, as detailed in Appendix 1. However, the Cambodian authorities have continued to detain or imprison journalists who report about government activities. In addition, there have been incidents of human rights defenders being arrested for sharing opinions about the Cambodian government on social media or in a public forum, resulting in excessive and disproportionate periods of jail time.
18. In August 2022, members of Prime Minister Hun Sen's security team detained and harassed five journalists while they were covering environmental issues on a land clearing operation. The journalists were detained for several hours at the police station and government officials violently forced them to hand over their phones.²⁶ The Cambodian authorities told the journalists that they were not allowed to photograph, film or fly drones in that location and claimed that photos and recordings could be used to spread false information.²⁷
19. One of the most concerning cases evidencing the government's conduct with respect to freedom of expression is that of Theary Seng. Ms. Seng is a Cambodian attorney and human rights defender. In 2020, she was charged with treason and conspiracy to incite social disorder through publications on her social media account that criticized the government.²⁸ On June 14, 2022, Theary Seng was sentenced to six years of imprisonment.²⁹ The court's announcement of her sentencing contained no explanation as to why Ms. Seng was found guilty.³⁰ UNWGAD recently rendered an opinion establishing that her detention was politically motivated and resulted from her exercising her rights to freedom of opinion, expression, peacefully assembly and association.³¹

20. Other cases such as that of Rong Chhun demonstrate that long sentences are being used by the Cambodian government to restrict freedom of expression. Mr. Chhun, president of the Cambodian Confederation of Unions and a member of the Cambodia Watchdog Council, was arrested and charged with incitement to commit a felony in July 2020, after issuing a public statement about claims that border negotiations with Vietnam were affecting villagers along the border.³² In August 2021, Mr. Chhun was sentenced to two years in prison.³³

Invocation of criminal incitement and anti-state charges against journalists and human rights defenders expressing an opinion]

21. One of the most concerning aspects of the Cambodian treatment for journalists, human rights defenders and other social actors is the extended use of criminal laws against incitement of violence or disturbance of social order to suppress freedom of expression. Some articles of the Cambodian Criminal Code, particularly Articles 494 and 495, have been used as pretexts to arrest people who expressed opinions on public matters or somehow criticized the government. In the past UPR cycle, some recommendations, which were noted by Cambodia, highlighted this concern by urging the Cambodian government to repeal provisions of the Criminal Code that restricted freedom of expression and assembly.³⁴ However, indiscriminate use of the incitement laws persists.
22. Article 495 of the Cambodian Criminal Code criminalizes “direct incitement to commit a felony or to disturb social order by employing one of the means described in Article 494,” which include: (i) speech in a public place or public meeting, (ii) writing or picture of any kind displayed or distributed to the public, or (iii) any audio-visual communication to the public.³⁵ Both articles are extremely vague and overbroad, which has allowed for their arbitrary misuse by Cambodian authorities against journalists and other social actors such as online critics.
23. Cases involving activists like Theary Seng,³⁶ discussed above, and Kong Raiya³⁷, an activist formerly affiliated with the banned Cambodia National Rescue Party (“**CNRP**”) reveal that Cambodian authorities take advantage of the broad nature of the Cambodian Criminal Code provisions. In Ms. Seng’s case, the prosecution failed to demonstrate the existence of intent to incite or even identify the content of her social media posts which was inciting. Nevertheless, she was sentenced to six years of imprisonment.³⁸
24. There are several other examples of arbitrary charges against journalists based on the incitement articles in Cambodia. In 2020, Sok Oudom, the owner of a local news radio station and website, was arrested for reporting on a protest related to a land dispute.³⁹ Mr. Oudom was charged under the incitement provisions and sentenced to twenty months in prison.⁴⁰ That same year, Ros Sokhet was arrested for allegedly inciting to provoke serious chaos in social security for criticizing Prime Minister Hun Sen on his Facebook page. Mr. Sokhet was then charged under Articles 494 and 495 of the Cambodian Criminal Code.⁴¹

25. In 2021, Khou Piseth, a Cambodian reporter, was arrested for posting messages critical of the government's handling of the COVID-19 pandemic, despite the fact that the posts were made on his personal Facebook account.⁴² Youn Chhiv, the owner of a news website, was convicted under the incitement provisions for publishing information regarding a land dispute in Botum Sakor National Park. Mr. Chhiv was reportedly sentenced fewer than seventy-two hours after being arrested.⁴³ Other cases in connection with the incitement provisions of the Cambodian Criminal Code are detailed in Appendix 1.
26. Anti-state charges have also been used by the Cambodian government to condition or retaliate against journalists. Article 445 of the Cambodian Criminal Code provides that the act of giving or facilitating easy access to certain documents or information by a foreign State which undermines the national defense is punishable by imprisonment of between seven and fifteen years.⁴⁴ This article has been used against journalists like Yeang Sothearin and Uon Chhin, who were tried for allegedly sending information to RFA and setting up a studio to broadcast Cambodian news abroad.⁴⁵
27. Broad provisions under the Cambodian Criminal Code have also been used against human rights defenders for expressing an opinion. Rong Chhun's case (discussed above) was based on the incitement provisions. In 2020, Kea Sokun, a rap artist from Cambodia, was arrested for allegedly inciting criminal activity, in connection with two songs that he posted on his YouTube page.⁴⁶ In 2021, Kak Sovannchhay, the autistic son of two opposition figures in Cambodia, was also arrested for criticizing the government in three voice recordings shared in a private Telegram group and convicted under Articles 494 and 495 of the Cambodian Criminal Code.⁴⁷

Denial of the right to a fair trial and appeals process

28. In the previous UPR cycle, Cambodia was urged to cease judicial harassment against journalists, a recommendation that was noted by the state.⁴⁸ However, in the subsequent years, several cases characterized by serious fair trial violations have resulted in sentences of imprisonment against journalists and human rights activists. Many of the judgments issued by the Cambodian courts have lacked adequate reasoning, ultimately affecting the defendants' right to appeal disproportionate and unfair sentences.
29. In July 2019, Yeang Sothearin and Uon Chhin, discussed above, were tried for allegedly supplying a foreign state with information destructive to national defense. The defendants suffered serious fair trial violations. The prosecution introduced evidence regarding Uon Chhin's alleged delivery of a hard drive to the U.S. Embassy in Phnom Penh, but no information regarding the hard drive was included in the criminal complaint.⁴⁹ The court also limited its questions to those favorable to the prosecution's theory, and allowed a junior

police officer to whisper to a senior police officer testifying for the prosecution.⁵⁰ Even after the court acknowledged that it did not have enough evidence to convict the defendants, the case was not dismissed. Instead, the judge issued an order for the state prosecutors to reinvestigate.⁵¹

30. Kong Raiya was convicted in 2020 after the prosecution failed to introduce any evidence to prove that he intended to incite social unrest.⁵² The Cambodian court provided insufficient reasoning for its verdict, violating Mr. Raiya's right to appeal.⁵³ There have also been important restrictions to the right to an adequate defense in cases like Ros Sokhet's, who was tried in a hearing that lasted one hour and a half.⁵⁴ In Mr. Sokhet's case, the prosecution did not offer any evidence regarding the existence of intent and failed to demonstrate that his posts qualified as incitement.⁵⁵
31. Theary Seng's case is one of the most shocking with respect to fair trial violations. Ms. Seng was denied access to her case file⁵⁶ and her international counsel, Jared Genser, was permanently banned from entering the country.⁵⁷ Other similar cases are detailed in Appendix 1.
32. At the time of this report, we are aware of the Cambodian government practice of releasing arrested individuals on an *ad hoc* basis and prohibiting them from speaking about their release. This practice is in violation of international law.

Suspension and revocation of journalists' licenses, internet restrictions, censorship, and blocked access to online content

33. The Cambodian government regularly censors journalists and news organizations. Interministerial decree No. 170 allows a government commission to monitor Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. With this power, the Cambodian government has revoked the licenses of several media outlets, forcing them to shut down. In 2020, the government blocked access to Monoroom.info,⁵⁸ and revoked the licenses of media outlets TVFB, CKVTV, and Rithysen Radio Station.⁵⁹ In 2021, licenses were also revoked for the following outlets: Youth Techno and Stoeng Charl,⁶⁰ Live-Daily,⁶¹ Pheng Vannak,⁶² and K01 TV.⁶³ In 2022, the Cambodian government cancelled the licenses of the Bayong Times, Khmer Cover TV, and Cambodia Today.⁶⁴
34. On February 12, 2023, Prime Minister Hun Sen announced authorities would revoke Voice of Democracy's license.⁶⁵ The next day, police officers delivered a letter formally revoking the license.⁶⁶ On February 20, 2023, the Special Rapporteur on the situation of human rights in Cambodia, the Special Rapporteur on the situation of human rights defenders, and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and

expression issued a press release imploring the Cambodian authorities to reinstate Voice of Democracy's license, stating "we are alarmed by the revocation of Voice of Democracy's license without due process, and with immediate effect in the run up to crucial national elections due in July this year."⁶⁷ Following this, the Federation of Cambodian-ASEAN journalists, Raksmei Kampong Cham, and Dumnon Knong Srok also had their licenses revoked.⁶⁸ The Telecommunications Regulator of Cambodia ordered local internet service providers to block the websites and social media accounts of The Cambodia Daily, RFA, and Kamnotra.⁶⁹

35. The Cambodian government has taken steps to further control freedom of expression. In February 2021, the Cambodian government passed a decree to establish a National Internet Gateway (NIG), which would centralize internet traffic and enable the government to force internet service providers to block or restrict content.⁷⁰ In October 2021, the Phnom Penh Capital Police Chief instructed police units to ban journalists from live broadcasting police activities.⁷¹

Recommendations to Cambodia by the submitting organizations

Cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion

36. Take measures to end all forms of torture and other ill-treatment, including the use of excessive force and physical beatings, inflicted on journalists and human rights defenders.
37. Ensure prompt and thorough investigations into the torturing and ill-treatment of journalists and human rights defenders, and bring all perpetrators, including conspirators, to justice in a fair trial to ensure accountability.

Incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion

38. Take measures to end the arbitrary and lengthy detention of journalists.
39. Ensure that the right to a fair trial is respected.
40. Allow journalists and human rights defenders the right to legal counsel at all stages of their detention and trial.
41. Release any journalists and human rights defenders who continue to be held in lengthy pre-trial detention.
42. Abolish detention without trial and ensure that arrests and detentions comply with international human rights law.

43. Conduct an investigation of the circumstances surrounding the incommunicado holding and lengthy pre-trial detention of journalists and human rights defenders and take appropriate measures against those responsible for the violation of rights.
44. Cease the practice of holding journalists and human rights defenders incommunicado and detaining them for lengthy periods without trial.
45. Cease the practice of confiscating the passports of journalists and human rights defenders, as well as their family members, and otherwise preventing them from travelling outside of the country.

Imprisonment and lengthy sentences of journalists and human rights defenders for expressing an opinion

46. Take measures to end arbitrary arrest and detention of journalists and human rights defenders to restrict freedom of expression.
47. Immediately release Theary Seng, currently jailed for posting on social media, and accord her an enforceable right to compensation and other reparations.
48. Cease arbitrary detentions of journalists and human rights defenders for issuing opinions about the Cambodian government.
49. Release all jailed journalists and human rights defenders arbitrarily detained for acts of free expression and press coverage, and cease the practice of arresting and inflicting violence against them for such acts.
50. Cease the practice of prohibiting prisoners from speaking about their release.

Invocation of criminal incitement and anti-state charges against journalists

51. Amend the Cambodian Criminal Code to correct the over-breadness and lack of clarity of the anti-incitement and anti-state provisions.
52. Remove any disproportionate limits to freedom of expression from the Cambodian Criminal Code.
53. Cease the arrest and detention of journalists and human rights defenders for covering government activities and criticizing the government.
54. Stop using criminal incitement charges to prosecute journalists, media outlets, and human rights defenders.
55. Commit to public transparency in government-decision making in all spheres of activity.

Denial of the right to a fair trial and appeals process

56. Ensure that all journalists and human rights defenders are granted the right to a fair trial before an independent and impartial court in a timely manner.
57. Ensure that the right of journalists and human rights defenders to an adequate defense is protected.
58. Ensure that the presumption of innocence of journalists and human rights defenders is respected.
59. Ensure that court judgments include a clear reasoning and protect the right of the defendants to appeal those judgments.

Suspension and revocation of journalists' licenses, internet restrictions, censorship, and blocked access to online content

60. Revoke interministerial decree No. 170.
61. Revoke the February 2021 sub-decree on the establishment of a National Internet Gateway.
62. Allow the media to establish independent self-regulatory bodies and allow them to operate freely and without interference from the government.
63. End the practice of revoking licenses of media outlets and social media platforms without due process protections and encourage the free exchange of information.

Appendix 1
Matrix of Recommendations from the Previous Cycle
with Comments on Progress

Recommendation ⁷²	Position ⁷³⁷⁴	Full List of Themes	Assessment/Comments on Level of Implementation
Theme: D43 Freedom of opinion and expression			
<p>110.83 Ensure freedom of expression on the Internet by revoking interministerial decree No. 170 on “publication controls of websites and social media processing via the Internet” (Germany);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>D43 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - human rights defenders 	<p>Not Implemented.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. Government authorities have revoked the media licenses of several media outlets, forcing them to shut down and impeding freedom of expression on the Internet. Journalists and human rights defenders have been arrested for comments made on their own personal social media pages.</p>
<p>110.85 Take all measures to protect and support journalists, human rights defenders, trade union workers, land and environmental activists and other civil society actors, and members of the political opposition (Iceland);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p>H1 Human rights defenders</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - human rights defenders - public officials 	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of the reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for</p>

			excessive periods prior to a short trial, or held in overcrowded prison conditions.
<p>110.87 Create the conditions necessary to allow all individuals to enjoy their fundamental rights, particularly freedom of expression, association and peaceful assembly (Costa Rica);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - media - human rights defenders 	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.</p>
<p>110.89 Release immediately from custody any individual detained for their peaceful exercise of freedom of expression and assembly, and drop all criminal charges against these individuals (Norway);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 3</p>	Noted	<p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - persons deprived of their liberty - human rights defenders 	<p>Not Implemented.</p> <p>Individuals who have been arrested for exercising their freedom of expression are still in detention, or have been charged and are facing prison sentences.</p>
<p>110.93 Protect the rights of human rights defenders, and bring laws, regulations and policies on freedom of expression, association and assembly into accordance with the State's international obligations (Italy);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p>H1 Human rights defenders</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - human rights defenders 	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of</p>

			the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.
110.95 Ensure that all citizens may fully enjoy their rights to freedom of expression and peaceful assembly and association (Switzerland); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association Affected persons: - general - media - human rights defenders	Not Implemented. Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.
110.98 Immediately remove all undue restrictions on civil society and independent media, including by withdrawing the interministerial decision known as prakas No. 170 on digital expression (United States of America); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association Affected persons: - media - human rights defenders	Not Implemented. Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.

<p>110.99 Take all measures necessary to ensure a safe environment to guarantee the full enjoyment of freedom of expression of journalists and of the general population, and investigate and sanction all forms of violence against them (Argentina);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	<p>Accepted</p>	<p>D43 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - media 	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.</p>
<p>110.101 Take measures to protect the freedom of expression online and offline, as well as freedom of association and assembly (Brazil);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	<p>Accepted</p>	<p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media 	<p>Not Implemented.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action.</p>
<p>110.106 Redouble efforts to protect freedom of opinion and expression, both online and offline, to ensure and promote a safe environment for journalists, human rights defenders and the political opposition, and effectively and thoroughly investigate all attacks against them (Lithuania);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	<p>Accepted</p>	<p>D43 Freedom of opinion and expression</p> <p>H1 Human rights defenders</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - human rights defenders 	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists</p>

			and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.
110.114 Step up efforts to prevent the harassment of human rights defenders, journalists, trade union workers, protesters, land and other civil society actors, and protect their rights (Czechia); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association H1 Human rights defenders Affected persons: - media - human rights defenders	Not Implemented. Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.
110.117 Create an enabling environment for free and pluralistic media, including by ceasing judicial harassment against journalists and abuse of tax regulations to harass media outlets and associations (Greece); Source of position: A/HRC/41/17/Add.1 - Para. 3	Noted ⁷⁵	D43 Freedom of opinion and expression Affected persons: - media	Not Implemented. Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights

			<p>defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.</p>
<p>110.118 Continue to implement measures to strengthen the independence of both the judiciary and the media (Italy);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>D43 Freedom of opinion and expression</p> <p>D51 Administration of justice & fair trial</p> <p>B52 Impunity</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - judges, lawyers and prosecutors 	<p>Not Implemented.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.</p>
Theme: D7 Right to participation in public affairs and right to vote			
<p>110.31 Revise or repeal recent legal acts potentially subject to restrictive or arbitrary interpretation, including the law on political parties and the election laws, the law on associations and non-governmental organizations and the interministerial proclamation of May 2018 on social media, in order to bring them into conformity with international human rights law and standards (Austria);</p>	Noted ⁷⁶	<p>D7 Right to participation in public affairs and right to vote</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media 	<p>Not Implemented.</p> <p>Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists and human rights defenders, such as Article 445 and 453.</p>

<p>Source of position: A/HRC/41/17/Add.1 - Para. 3</p>			<p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.</p>
<p>110.137 Create the conditions for genuine, multiparty democracy in the country and for free and fair elections to be held (Greece); Source of position: A/HRC/41/17/Add.1 - Para. 3</p>	<p>Noted⁷⁷</p>	<p>D7 Right to participation in public affairs and right to vote Affected persons: - general</p>	<p>Not Implemented. Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets after they published information critical of the current government, forcing them to shut down. Journalists and human rights defenders continue to be detained and arrested following publication of statements critical of the current government.</p>
<p>Theme: A41 Constitutional and legislative framework</p>			
<p>110.29 Revise the Penal Code as well as other laws, including the law on associations and non-governmental organizations, the future trade union law and the telecommunications law, in order to bring them into compliance with international human rights standards (Czechia); Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	<p>Accepted</p>	<p>A41 Constitutional and legislative framework Affected persons: - general</p>	<p>Not Implemented. Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists and human rights</p>

			<p>defenders, such as Article 445 and 453.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.</p>
<p>110.81 Guarantee freedom of expression for all citizens and journalists, including on the Internet, by revising the latest constitutional amendment and the interministerial instruction of May 2018 allowing surveillance of Internet contents (France);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>A41 Constitutional and legislative framework D43 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - human rights defenders 	<p>Not Implemented.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets after they published information critical of the current government, forcing them to shut down.</p> <p>Journalists and human rights defenders continue to be detained and arrested following publication of statements critical of the current government.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested</p>

			without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.
110.94 Revise recent enactments and revisions of legislation that violate the rights to freedom of expression and association, including the vague and broad grounds for preventing publication on the Internet in the proclamation on publication controls of websites and social media (Sweden); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D45 Freedom of association Affected persons: - media	Not Implemented. Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets after they published information critical of the current government, forcing them to shut down. Journalists and human rights defenders continue to be detained and arrested following publication of statements critical of the current government.
110.96 Amend the law on telecommunications, and adopt the law on access to information in line with international standards of the right to the freedom of expression and the right to privacy (Switzerland); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D46 Right to private life, privacy Affected persons: - general - media	Not Implemented. Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several

			<p>media outlets after they published information critical of the current government, forcing them to shut down.</p> <p>Journalists and human rights defenders continue to be detained and arrested following publication of statements critical of the current government.</p>
<p>110.102 Strengthen democratic participation by guaranteeing the independence of the media and establishing a safe and enabling environment for civil society and trade unions, and by fostering the full participation of opposition parties in the next communal, senatorial and legislative elections (Canada);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>A41 Constitutional and legislative framework</p> <p>D7 Right to participation in public affairs and right to vote</p> <p>E33 Trade union rights</p> <p>Affected persons: - media</p>	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders following publication of statements critical of the government. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets after they</p>

			published information critical of the current government, forcing them to shut down.
<p>110.109 Cease all kinds of harassment of and arbitrary interference with the political opposition, human rights defenders and labour activists, and amend laws and regulations effectively used to limit freedom of association and assembly, such as certain provisions in the law on political parties, the law on associations and non-governmental organizations and the law on trade unions (Finland);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>A41 Constitutional and legislative framework D7 Right to participation in public affairs and right to vote D44 Right to peaceful assembly D45 Freedom of association E33 Trade union rights H1 Human rights defenders</p> <p>Affected persons: - human rights defenders</p>	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.</p>
<p>110.110 Ensure a free civic space, allowing human rights defenders and journalists to freely express themselves both offline and online, without fear of harassment or reprisal, and refrain from prosecuting persons for exercising their fundamental rights under the Criminal Code and the law on telecommunications (Netherlands);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>A41 Constitutional and legislative framework D43 Freedom of opinion and expression H1 Human rights defenders</p> <p>Affected persons: - media - human rights defenders</p>	<p>Not Implemented.</p> <p>Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists and human rights defenders, such as Article 445 and 453.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove</p>

			publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.
Theme: A61 Cooperation with civil society			
110.24 Take the necessary measures to re-establish an environment respectful of the rights of the civil society, in particular by revising the law on associations and non-governmental organizations (France); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	A61 Cooperation with civil society D45 Freedom of association D43 Freedom of opinion and expression H1 Human rights defenders Affected persons: - human rights defenders - social workers	Not Implemented. Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists, such as Article 445 and 453. Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.
Theme: D1 Civil & political rights - general measures of implementation			
110.86 Adopt measures aimed at ensuring freedom of expression and the enjoyment of civil and political rights by the population (Colombia); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	D1 Civil & political rights - general measures of implementation D43 Freedom of opinion and expression Affected persons: - general - media	Not Implemented. Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists and human rights defenders, such as Article 445 and 453.

			Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.
Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment			
110.107 Take the measures necessary to ensure that the right to freedom of assembly and association is not hindered by arbitrary restrictions and/or excessive use of force (Lithuania); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	D25 Prohibition of torture and cruel, inhuman or degrading treatment D44 Right to peaceful assembly D45 Freedom of association Affected persons: - media - persons deprived of their liberty - human rights defenders	Not Implemented. Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists and human rights defenders, such as Article 445 and 453.
Theme: D26 Conditions of detention			
110.126 Take all necessary steps towards a substantive reduction in the time spent by persons in pretrial detention (Austria); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	D26 Conditions of detention D51 Administration of justice & fair trial Affected persons: - persons deprived of their liberty	Not Implemented. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial.
Theme: D7 Right to participation in public affairs and right to vote			
110.88 Restore democratic and political space, ensuring participation for political parties, civil society and independent media (Norway); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	D7 Right to participation in public affairs and right to vote H1 Human rights defenders D43 Freedom of opinion and expression Affected persons: - media	Not Implemented. Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested

		- human rights defenders	<p>without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Government has revoked the media licenses of several media outlets, forcing them to shut down.</p>
<p>110.90 Continue efforts to make democratic space more inclusive (Republic of Korea);</p> <p>Source of position: A/HRC/41/17/Add.1 – Para. 2</p>	Accepted	<p>D7 Right to participation in public affairs and right to vote</p> <p>S16 SDG 16 – peace, justice and strong institutions</p> <p>Affected persons: - general</p>	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial,</p>

			<p>or held in overcrowded prison conditions.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.</p>
<p>110.91 Create conditions conducive to free political debate and competition with a view to rebuilding a democracy in which the media and civil society, including human rights defenders, can freely carry out their work without interference or hindrance, as recommended by Ireland during the previous cycle, and in particular to ensure that their work is not hindered by restrictions on freedom of assembly and expression, either online or offline (Ireland);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>D7 Right to participation in public affairs and right to vote</p> <p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>H1 Human rights defenders</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - media - human rights defenders 	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain journalists have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove</p>

			publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.
<p>110.103 Promote dialogue among political actors, freedom and the rights of the people and the democratic process, in order to unite the people towards development; in this process, ensure an environment in which the rights of all political actors, civil society, the media and others are respected and their activities are not constrained (Japan);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>D7 Right to participation in public affairs and right to vote</p> <p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - human rights defenders 	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.</p>
<p>110.112 End harassment and arbitrary arrests of human rights defenders, members of the political opposition, activists and journalists (Croatia);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	Accepted	<p>D7 Right to participation in public affairs and right to vote</p> <p>D33 Arbitrary arrest and detention</p>	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been</p>

		H1 Human rights defenders D45 Freedom of association Affected persons: - human rights defenders	denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial, or held in overcrowded prison conditions.
Theme: A41 Constitutional and legislative framework			
110.79 Amend laws and regulations, including the law on telecommunications and the interministerial prakas on publication controls of website and social media processing via the Internet, that effectively limit freedom of expression, and end all forms of interference in and surveillance of media channels and online speech (Finland); Source of position: A/HRC/41/17/Add.1 - Para. 3	Noted ⁷⁸	A41 Constitutional and legislative framework D43 Freedom of opinion and expression Affected persons: - media	Not Implemented. Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.
110.84 Repeal the provisions of the Criminal Code that can be used to restrict freedom of expression, assembly and association, and decriminalize offences such as defamation (Iceland); Source of position: A/HRC/41/17/Add.1 - Para. 3	Noted	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association Affected persons: - media - persons deprived of their liberty - human rights defenders	Not Implemented. Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists and human rights defenders, such as Article 445 and 453. Interministerial decree No. 170 is still in force. In February 2020, the Ministry

			of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.
110.92 Reform the Criminal Code to ensure that freedom of expression, assembly and association are guaranteed, in addition to the protection of human rights defenders, and ensure the latter can go about their work without fear of intimidation (Spain); Source of position: A/HRC/41/17/Add.1 - Para. 3	Noted	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association H1 Human rights defenders Affected persons: - human rights defenders	Not Implemented. Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists and human rights defenders, such as Article 445 and 453. Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.
110.97 Reverse the forced closure of media outlets, repeal provisions of the Criminal Code that criminalize defamation and restrict freedom of expression and assembly, and remove, without conditions, the ban on the 118 former members of the Cambodia National Rescue Party from engaging in political activities (United Kingdom of	Noted	A41 Constitutional and legislative framework D7 Right to participation in public affairs and right to vote D43 Freedom of opinion and expression	Not Implemented. Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code

<p>Great Britain and Northern Ireland);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 3</p>		<p>D44 Right to peaceful assembly</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - human rights defenders 	<p>are also used against journalists and human rights defenders, such as Article 445 and 453.</p> <p>Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Government has revoked the media licenses of several media outlets, forcing them to shut down.</p> <p>In 2022, the Supreme Court's five-year ban on the CNRP's engagement in political activities reached its expiration date. However, some individuals still have active cases against them, or have been convicted or are subject to arrest warrants.</p>
<p>Theme: D33 Arbitrary arrest and detention</p>			
<p>110.113 Protect journalists, human rights defenders, members of the political opposition and trade union workers from harassment, arbitrary arrest and physical attacks, and investigate and prosecute the perpetrators of such attacks (Slovenia);</p> <p>Source of position: A/HRC/41/17/Add.1 - Para. 2</p>	<p>Accepted</p>	<p>D33 Arbitrary arrest and detention</p> <p>H1 Human rights defenders</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - persons deprived of their liberty - human rights defenders 	<p>Not Implemented.</p> <p>Government authorities continue to detain and arrest journalists and human rights defenders. Certain individuals have had their passports withheld, or been denied access to their legal counsel. They have been denied access to justice, including being arrested without an arrest warrant and not being informed of reasons behind their arrest. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention. Some journalists and human rights defenders have been detained for excessive periods prior to a short trial,</p>

			or held in overcrowded prison conditions.
Theme: B51 Right to an effective remedy			
110.133 Ensure accountability for human rights violations through independent investigations and the prosecution of perpetrators (Ukraine); Source of position: A/HRC/41/17/Add.1 - Para. 2	Accepted	B51 Right to an effective remedy B52 Impunity D51 Administration of justice & fair trial Affected persons: - general	Not Implemented. There have been instances of the right to fair trial being violated whilst journalists and human rights defenders are in police custody and pre-trial detention.
Theme: B51 Right to an effective remedy			
110.124 Further advance judiciary reforms and establish an independent justice system that is trusted and utilized by the people; to this end, make maximum use of the Extraordinary Chambers in the Courts of Cambodia as a model (Japan); Source of position: A/HRC/41/17/Add.1 – Para. 2	Accepted	B52 Impunity D51 Administration of justice & fair trial Affected persons: - judges, lawyers and prosecutors	Not Implemented. Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by government authorities against journalists and human rights defenders. Other provisions of the Cambodian Criminal Code are also used against journalists, such as Article 445 and 453. Interministerial decree No. 170 is still in force. In February 2020, the Ministry of Information confirmed that a government commission monitors Cambodian media and social media platforms. The commission can force publishers to remove publications and take legal action. The Cambodian government has revoked the media licenses of several media outlets, forcing them to shut down.

Appendix 2
Timeline of Relevant Events

The following incidents were reported between 2019 and the date of this submission on October 10, 2023.

Cruel, inhuman or degrading treatment of journalists and human rights defenders expressing an opinion

2019

- July 9, 2019: Kong Raiya was held in a severely overcrowded 4x5 meter jail cell in Phnom Penh's CC1 prison.⁷⁹

2020

- September 29, 2020: Four journalists, Ren Samnang of PMN News, Teng Norin and Rarn Khorn of Esan Post, and Muok Saren of Chakkrapop News, were beaten by a group of attackers. The attackers are thought to be timber traders.⁸⁰

2021

- October 16, 2021: The Cambodia Dechho for Peach media outlet alleges that there was an attempted murder of four journalists. They were attacked by the sibling of tycoon Kong Vanet whilst attempting to take pictures of cockfighting.⁸¹

2022

- June 8, 2022: An arrest warrant was issued for Try Sophal, a journalist for "Everyday" news outlet, after filming a bulldozer clearing state land. He says he was beaten at the time and that the provincial court released the assailants.⁸²
- July 18, 2022: San Sim, a local journalist for Somraek Satrey Khmer, was beaten by cross-border timber traders in Snoul district.⁸³ Sa Sim believes this attack was in connection with his work taking photographs of traders and reporting on the illegal timber trade.
- August 8, 2022: Following publication of his article on illegal cockfighting, Sun Kvancha of Penh Chet Media was threatened and his car was shot at by an anonymous person. His article contained allegations that the district police inspector may be involved with the illegal cockfighting.⁸⁴
- August 2022: Sou Senghak of Samarakot News was physically assaulted in Choam Ksan district by an army officer, after observing a potentially illegal timber transportation. After Sou Senghak filed a complaint with the authorities, a settlement agreement was reached and as part of the agreement Samarakot News retracted its story on the incident.⁸⁵
- November 2022: Theary Seng was held in terrible conditions in Cambodia's Preah Vihear Prison, in a 5x5 meter cell with 19 other women. She had been impeded from attending religious activities and making phone calls.⁸⁶ Cambodian authorities seemed reluctant to

transfer her to another prison in an attempt to deprive her “of visits from relatives, friends, legal counsel or anyone else”.⁸⁷

Incommunicado holding, lengthy pre-trial and arbitrary detention, and restrictions on international travel of journalists and human rights defenders expressing an opinion

2019

- April 24, 2019: The United Nations Working Group on Arbitrary Detention (UNWGAD) issued an opinion concerning the detention of two former RFA journalists, Yeang Sothearin and Uon Chhin, concluding that their deprivation of liberty was “in contravention of Articles 9, 10, 11 (1), 19 and 20 of the Universal Declaration of Human Rights and Articles 9, 14, 19 and 22 of the International Covenant on Civil and Political Rights”.⁸⁸ Both individuals were arrested without an arrest warrant and were not informed of the reasons behind their arrest. UNWGAD also found that Yeang Sothearin and Uon Chhin’s right to a fair trial was violated multiple times initially whilst in police custody and pretrial detention.
- July 8, 2019: Kong Raiya, an activist formerly affiliated with the banned Cambodia National Rescue Party (CNRP) posted on Facebook advertising t-shirts with the image and quotes of Kem Ley, a political analyst and government critic who was murdered in 2016.⁸⁹ On July 9, 2019, Kong Raiya was arrested alongside his wife, infant, sister, and brother in law (all of whom were released after promising in writing that they would not undertake further action related to the alleged offense).⁹⁰

2020

- May 13, 2020: Sok Oudom, owner of a local news radio station and website, was arrested by Kampong Chhnang authorities for reporting on a citizens’ protest related to a land dispute in Kampong Chhnang Province.⁹¹ He was retained at the Kampong Chhnang Provincial Prison in pretrial detention after his arrest.⁹²
- October 27, 2020: Journalist Ros Sokhet, arrested for allegedly inciting to provoke serious chaos in social security for criticizing Prime Minister Hun Sen on his Facebook page, remained on pre-trial detention in Prey Sar prison for four months, from June until October 2020, when he was tried in a hearing that lasted one hour and a half.⁹³

2021

- June 4, 2021: Eight journalists from eight different news outlets were placed in pretrial detention for allegedly taking photos in a private area without permission and extorting a timber warehouse.⁹⁴
- July 27, 2021: Khou Piseth, a Cambodian reporter, was arrested for posting messages critical of the government’s handling of the COVID-19 pandemic. The posts were made on his personal Facebook account.⁹⁵

2022

- January 6–7, 2022: Five online journalists, Keo Hour of SBT news and Prak Songha, Chhon Kongdara, Sang Chanthon, and Ouk Parady of MCTV, were arrested by the Kampong Chhnang police for allegedly inciting people to conduct a protest against the authorities.⁹⁶ Chan Kunthy,

the wife of one of the arrested journalists, said the arrests were made after her husband and his colleagues reported on a land dispute in Kampong Leng district. They were released on July 27, 2022, following a negotiation.⁹⁷

- June 30, 2022: An appellate court in Phnom Penh upheld a lower court's decision not to return the passport of Yeang Sothearin⁹⁸, who had been released on bail and under supervision (without passport) on August 21, 2018.⁹⁹
- June 14, 2022: Theary Seng's lawyer sought to visit her on the same day of her conviction but was denied access.¹⁰⁰
- October 2022: Yeang Sothearin received his passport back from the Cambodian Supreme Court but continued to be out on bail in a "legal limbo after several courts have rejected a series of appeals".¹⁰¹

2023

- July 17, 2023: Theary Seng began a hunger strike after UNWGAD stated that her trial should not have taken place.¹⁰²

Imprisonment and lengthy sentences of journalists and human rights defenders for expressing an opinion

2021

- August 18, 2021: More than a year after his detention, the Phnom Penh Municipal Court of First Instance sentenced Rong Chhun to two years in prison, ordered him to pay a fine of approximately USD \$490, and alongside other individuals a jointly levied fine of approximately USD \$98,000 to the Joint Committee on Border Affairs.¹⁰³
- December 2021: The Battambang Provincial Court sentenced Khou Piseth to two years in prison and a fine equivalent to USD \$750 (we understand he has now been released).¹⁰⁴

2022

- June 14, 2022: After several fair trial violations¹⁰⁵, Theary Seng was convicted for treason under Article 453 and conspiracy to incite social disorder under Articles 494 and 495 of the Cambodian Criminal Code.¹⁰⁶ Theary Seng was sentenced to six years imprisonment and sent to a prison in Phnom Penh.¹⁰⁷
- August 22, 2022: The Cambodian Prime Minister's bodyguards detained five journalists covering environmental issues while they were covering a land clearing operation in the Phnom Tamao forest sanctuary in the southern province of Takeo. The journalists were released after being forced to sign a statement saying that they flew a drone without official permission.¹⁰⁸

Invocation of criminal incitement and anti-state charges against journalists and human rights defenders for expressing an opinion

2019

- July 11, 2019: Kong Raiya was charged with incitement to disrupt social order under Articles 494 and 495 of the Cambodian Criminal Code. He was initially denied bail and imposed pretrial detention, but he was set free pending his trial.¹⁰⁹
- July 26, 2019: Yeang Sothearin and Uon Chhin were tried for allegedly supplying a foreign state with information destructive to national defense under Article 445 of the Cambodian Criminal Code for allegedly sending information to RFA and setting up a studio to broadcast Cambodian news abroad.¹¹⁰

2020

- April 7, 2020: Sovann Rithy of TVFB was arrested for incitement to cause chaos and harm social security over a Facebook post about Prime Minister Hun Sen advising local motorcycle-taxi drivers to sell their vehicles if they went bankrupt over the COVID-19 crisis. He was sentenced to 18 months in prison, suspended effective the day of the verdict.¹¹¹
- May 15, 2020: Sok Oudom was charged by the Kampong Chhnang Provincial Court of First Instance with incitement to commit a felony under Article 495 of the Cambodian Criminal Code.¹¹²
- June 25, 2020: Ros Sokhet was arrested for allegedly inciting to provoke serious chaos in social security for criticizing Prime Minister Hun Sen on his Facebook page the day before. Ros Sokhet was charged with incitement to disrupt social order under Articles 494 and 495 of the Cambodian Criminal Code.¹¹³
- July 31, 2020: Rong Chhun, president of the Cambodian Confederation of Unions and a member of the Cambodia Watchdog Council, was arrested and charged with incitement to commit a felony under Articles 494 and 495 of the Cambodian Criminal Code. Rong Chhun had issued a public statement about claims that border negotiations between Cambodia and Vietnam affected villagers along the border.¹¹⁴
- August 26, 2020: Theary Seng, a human rights lawyer who had expressed her support to Sam Rainsy (the exiled leader of the Cambodia National Rescue Party) on social media, was charged with conspiracy to commit treason and incitement to social disorder under Articles 453, 494 and 495 of the Cambodian Criminal Code.¹¹⁵
- September 2020: Kea Sokun, a rap artist from Cambodia, was arrested for allegedly inciting criminal activity under Article 495 of the Cambodian Criminal Code, in connection with two songs that he posted on his YouTube page.¹¹⁶
- October 5, 2020: Sovann Rithy of TVFB was sentenced to 18 months in prison, suspended effective the day of the verdict (his prison time was the 5 months and 28 days of pre-trial detention).¹¹⁷

2021

- June 24, 2021: Kak Sovannchhay, the autistic son of two opposition figures in Cambodia, was arrested for posting a picture of Prime Minister Hun Sen's family with the label "traitors" and for criticizing the government in three voice recordings shared in a private Telegram group.¹¹⁸

- July 27, 2021: Khou Piseth, a Cambodian reporter, was charged with incitement to commit a felony under the Cambodian Criminal Code after posting messages critical of the government's handling of the COVID-19 pandemic.¹¹⁹
- September 30, 2021: Youn Chhiv, owner of the news website Koh Kong Hot News, was convicted for incitement to cause a felony for publishing alleged misinformation regarding a land dispute in Botum Sakor National Park. Mr. Chhiv was reportedly sentenced fewer than 72 hours after being arrested, after two days of police questioning without a lawyer.¹²⁰ The court sentenced him to one year in prison and a fine of USD \$500.¹²¹
- November 1, 2021: Kak Sovannchhay was convicted of intentional incitement to cause social unrest, and insult of a public official. He was given a suspended sentence and released on November 10, 2021.¹²²
- December 18, 2021: Chhum Thou, reporter for Khmer Students News TV Online, was arrested for illegally encroaching 400 hectares of flood forest, where he was attempting to report on allegations of occupation, encroachment, and the selling state-flooded forest land.¹²³

2022

- May 26, 2022: Thai Bunrith, a producer for TCN TV, was arrested and charged with inciting to discriminate and public defamation under Articles 494, 496, and 305 of the Cambodian Criminal Code after airing news claiming that provincial authorities had received bribes from illegal gambling den owners. He remained in prison as of December 2022.¹²⁴
- June 14, 2022: After several fair trial violations¹²⁵, Theary Seng was convicted for treason under Article 453 and conspiracy to incite social disorder under Articles 494 and 495 of the Cambodian Criminal Code.¹²⁶ Theary Seng was sentenced to six years imprisonment and sent to a prison in Phnom Penh.¹²⁷
- July 10, 2022: Sem Diya of Battambang Post was arrested and accused of incitement to commit a crime following his livestream of a protest in Phnom Prek.¹²⁸ On October 21, 2022, he was sentenced to one year in prison on charges of incitement to commit crimes, but the remainder of his sentence was suspended and he was released.
- August 3, 2022: Mey Chumnith, publisher of MCN TV, and his reporter, Hun Kimsreng, were arrested for alleged extortion relating to a land case involving police chiefs. On November 1, 2022, they were sentenced to two years punishment, with one year in prison and one year suspended. They remained in prison as of December 2022.¹²⁹

Denial to a right of fair trial and appeals process

2019

- July 26, 2019: Yeang Sothearin and Uon Chhin were tried for allegedly supplying a foreign state with information destructive to national defense under Article 445 of the Cambodian Criminal Code for allegedly sending information to RFA and setting up a studio to broadcast Cambodian news abroad.¹³⁰ Yeang Sothearin and Uon Chhin suffered serious fair trial violations. The prosecution introduced evidence regarding Uon Chhin's alleged delivery of a hard drive to the U.S. Embassy in Phnom Penh, but no information regarding the hard drive was included in the criminal complaint.¹³¹ The court also limited its questions to those favorable to the

prosecution's theory, and allowed a junior police officer to whisper to a senior police officer testifying for the prosecution.¹³²

- October 3, 2019: The Phnom Penh Municipal Court recognized that it did not have enough evidence to make a decision in the espionage case against Yeang Sothearin and Uon Chhin. Instead of culminating the case in an acquittal, the court ordered state prosecutors to reinvestigate it.¹³³

2020

- June 19, 2020: Kong Raiya was found guilty of violating Articles 494 and 495 of the Cambodian Criminal Code and received a two-year suspended sentence, with credit for time served. Kong Raiya was convicted despite the prosecution failing to introduce any evidence to prove that he intended to incite social unrest.¹³⁴ The court provided insufficient reasoning for its verdict, violating Kong Raiya's right to appeal.¹³⁵
- October 27, 2020: Ros Sokhet was tried in a hearing that lasted one hour and a half.¹³⁶ The prosecution did not offer any evidence regarding the existence of intent and failed to demonstrate that Ros Sokhet's posts qualified as incitement.¹³⁷
- November 3, 2020: Sok Oudom was tried on a single-day public hearing.¹³⁸
- November 11, 2020: Ros Sokhet was sentenced to 18 months imprisonment, and fined approximately USD \$500.¹³⁹
- December 22, 2020: Despite the conflicting evidence and failure of the prosecution to present documents that supported the alleged intent¹⁴⁰, Sok Oudom was found guilty of incitement and sentenced to twenty months in prison and payment of almost USD \$5,000 in compensation to a high-ranked official in the Cambodian military.¹⁴¹
- December 22, 2020: Kea Sokun was found guilty of incitement to commit a felony under Article 495 of the Cambodian Criminal Code and sentenced to 18 months in prison. During trial, the prosecution failed to provide any concrete evidence of causation between the contents of Kea Sokun's songs and actual incitement to commit a felony, as there was no indication of social disorder and unrest.¹⁴²

2021

- January 14, 2021: Theary Seng's request to represent herself at trial was denied by the court. She was also denied access to her casefile.¹⁴³
- June 2021: The Court of Appeals upheld the 18-month jail sentence against Kea Sokun.¹⁴⁴
- September 30, 2021: Youn Chhiv, owner of the news website Koh Kong Hot News, was convicted for incitement to cause a felony for publishing alleged misinformation regarding a land dispute in Botum Sakor National Park. Mr. Chhiv was reportedly sentenced fewer than 72 hours after being arrested, after two days of police questioning without a lawyer.¹⁴⁵ The court sentenced him to one year in prison and a fine of USD \$500.¹⁴⁶

2022

- January 20, 2022: Cambodian authorities permanently banned Theary Seng’s international counsel, Jared Genser, from entering the country.¹⁴⁷

2023

- June 15, 2023: UNWGAD rendered an opinion establishing that Theary Seng’s detention was “in contravention of Articles 2, 3, 7, 9, 10, 11, 19 and 20 of the Universal Declaration of Human Rights and Articles 2, 9, 14, 15, 19, 21, 22 and 26 of the International Covenant on Civil and Political Rights.” UNWGAD found that Articles 454, 494, and 495 of the Cambodian Criminal Code are vague and overbroad, which allows for arbitrary misuse by the government, and that Theary Seng’s detention was politically motivated and resulted from her exercising her rights to freedom of opinion, expression, peaceful assembly, and association. Theary Seng is imprisoned in a remote region of Cambodia and her access to legal counsel has been obstructed. The Working Group requested the government of Cambodia to take steps necessary to remedy the situation of Theary Seng without delay and release her immediately.¹⁴⁸

Suspension and revocation of journalists’ licenses, internet restrictions, censorship, and blocked access to online content

2020

- March 2020: The Cambodian government blocked access to Monoroom.info, a Khmer-language news site, after it published articles on the impact of the COVID-19 pandemic in Cambodia until April 2021.¹⁴⁹
- April/May 2020: The Cambodian government revoked the licenses of Facebook-based media outlets TVFB and CKVTV, and the Rithysen Radio Station, claiming that they were publishing information that was exaggerated and that contained incitement to violence.¹⁵⁰
- May 2020: After his arrest, Cambodian authorities withdrew Sok Oudom’s radio station license and blocked his website on the grounds that his reporting was exaggerated.¹⁵¹
- October 23, 2020: Authorities confiscated a camera owned by a Khmer Times newspaper journalist and ordered him and a photographer working for the Reuters news agency to delete all their photos and leave the area of a protest.¹⁵²
- November 16, 2020: Heng Vuthy of TN TV news was intimidated and threatened by authorities when he took photographs of an event in front of CNRP’s head office in Phnom Penh. He was told by authorities to delete all pictures, which he did.¹⁵³

2021

- February 16, 2021: The Cambodian government passed a decree to establish a National Internet Gateway (NIG).¹⁵⁴
- February 24, 2021: Angkor Today’s editor was deported from Cambodia after publishing a story claiming that coronavirus vaccines were being sold improperly out of Calmette hospital. A Health Ministry spokesperson deemed the story to “fake news” and demanded a public correction from the news website.¹⁵⁵

- March 2021: Youth Techno and Stoeng Charl, online news outlets, had their licenses revoked because the Cambodian government claimed they were spreading false information that would cause social unrest.¹⁵⁶
- March 14, 2021: The Information Ministry revoked the license of Live-Daily, accusing the outlet of spreading false information and endangering police security.¹⁵⁷ The ministry letter revoking the license did not provide additional information.
- March 18, 2021: The Information Ministry revoked the news licenses of Pheng Vannak for publishing a video of severe corporal punishment (the chief monk beating three younger monks with a stick) at a Siem Reap pagoda, which they say had the effect of ‘affecting Buddhism’.¹⁵⁸
- April 2021: The Ministry of Information revoked K01 TV’s media license after it posted videos allegedly criticizing the Cambodian government’s response to the COVID-19 pandemic.¹⁵⁹
- May 11, 2021: Whilst covering a land dispute in Krakor district, Pursat Province, Khut Sokun, a reporter for Voice of Democracy, said an armed man in a military uniform approached him and seized his smart phone, recorder, and notebook. He notes that his notes and audio recordings were destroyed by the authorities, even after he disclosed he was a Voice of Democracy reporter.¹⁶⁰
- June 23, 2021: Los Seng of Los Seng News said Kandal provincial officials told him to stop reporting and threatened him with legal action for reporting on land disputes related to Phnom Penh’s new international airport.¹⁶¹
- August 13, 2021: Police officers obstructed journalists An Vichet and Lors Lib Lib while they were covering a protest by villagers against the demolition of homes in Phnom Penh, forcing them to delete photos and videos and threatening them with legal action.¹⁶²
- October 6, 2021: Phnom Penh Capital Police Chief instructed police units to ban journalists from the live broadcasting of police enforcement activities.¹⁶³

2022

- February 2022: The Cambodian government announced a delay in the implementation of the National Internet Gateway (NIG), which would centralize internet traffic and enable the government to force internet service providers (ISPs) to block or restrict content.¹⁶⁴
- March 2022: The Cambodian government canceled the licenses of three digital media outlets (the Bayong Times, Khmer Cover TV, and Cambodia Today) for allegedly “violating journalistic ethics” after they published stories on government corruption.¹⁶⁵
- May 16, 2022: Several free expression, technology, and human rights groups released a statement calling on the government of Cambodia to revoke the Sub-Decree on the Establishment of the National Internet Gateway (NIG), which would establish a gateway capable of monitoring all internet traffic in Cambodia.¹⁶⁶

2023

- February 12, 2023: Prime Minister Hun Sen made a statement on his official Facebook page claiming that authorities would revoke Voice of Democracy’s license. The next day, police officers delivered a letter formally revoking the license.¹⁶⁷ On February 20, 2023, the Special Rapporteur on the situation of human rights in Cambodia, the Special Rapporteur on the situation of human rights defenders, and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression issued a press release imploring the Cambodian authorities to reinstate Voice of Democracy’s license, stating “We are alarmed by the revocation of Voice of Democracy’s license without due process ,and with immediate effect in the run up to crucial national elections due in July this year”.¹⁶⁸
- March 18, 2023: The Information Ministry revoked the licenses of media outlets Federation of Cambodia-ASEAN Journalists, Raksmei Kampong Cham and Dumnong Knong Srok after they reported on a senior government official’s role in land fraud. The Information Ministry stated the media outlets had “committed serious violations of journalistic ethics” and “had not followed the instruction of the ministry”.¹⁶⁹
- March 20, 2023: The Cambodian government threatened legal action against CamboJa News for alleged misrepresentations in their reporting on the revocation of media licenses for the Federation of Cambodia-ASEAN Journalists, Raksmei Kampong Cham and Dumnong Knong Srok. CamboJa News modified their article on the topic.¹⁷⁰
- July 12, 2023: The Telecommunications Regulator of Cambodia ordered local internet service providers to block the websites and social media accounts of The Cambodia Daily, Radio Free Asia (RFA), and Kamnotra. According to the Regulator, the three media outlets had spread information to “make confusion, affect the government’s honor and prestige, and failed to fulfill the operating conditions of the Information Ministry”.¹⁷¹

References

¹ The submitters define “journalists” as people who cover news or comment on public affairs in print, in photographs, on radio, on television, or online. Writers, editors, publishers, producers, technicians, photographers, camera operators, and directors of news organizations are all included. See Committee to Protect Journalists, “Frequently Asked Questions”, available at: <https://cpj.org/about/faq/>.

² See Cambodian Constitution, adopted on 21 September 1993, amended in 2008, Article 31, available at: https://www.constituteproject.org/constitution/Cambodia_2008.

³ Id., at Article 41.

⁴ Id.

⁵ Universal Declaration of Human Rights, Article 19, available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

⁶ United Nations Human Rights Office of the High Commissioner, International Covenant on Civil and Political Rights, Articles 19(1) and 19(2), available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

⁷ Id., at Article 19(3).

⁸ Id., at Article 9(3).

⁹ UN Human Rights Committee. General Comment No. 32, Article 14, Right to equality before courts and tribunals and to fair trial, para. 15.

¹⁰ Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted on June 26, 1987, Article 1, available at:

<https://treaties.un.org/doc/Publication/UNTS/Volume%201465/v1465.pdf>

¹¹ Id. at Article 11.

¹² International Convention for the Protection of All Persons from Enforced Disappearance, adopted on December 23, 2010, Article 17, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>

¹³ Cambodia Journalists Alliance Association (2023), “Cambodian Journalist Situation Report 2022: An Annual record of reported harassment cases against journalists”, p. 23, available at:

<https://www.camboja.net/wp-content/uploads/2023/04/2022-Cambodian-Journalism-Situation-Report-EN.pdf>.

¹⁴ Id., p. 12.

¹⁵ Id., p. 18.

¹⁶ CamboJa News (August 22, 2022), “Preah Vihear journalist assaulted by military commander,” available at: <https://cambojanews.com/preah-vihear-journalist-assaulted-by-military-commander/>.

¹⁷ Cambodia Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 29, available at:

<https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

¹⁸ Cambodia Journalists Alliance Association (2023), “Cambodian Journalist Situation Report 2022: An Annual record of reported harassment cases against journalists”, p. 42, available at:

<https://www.camboja.net/wp-content/uploads/2023/04/2022-Cambodian-Journalism-Situation-Report-EN.pdf>.

¹⁹ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (November 2020), “Trial Observation Report: Cambodia v. Kong Raiya,” pp. 11-12, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_kong_raiya.pdf.

²⁰ Amnesty International (October 27, 2019), “Cambodia: Release Prisoners of Conscience Kong Raiya and Soung Neakpaon,” p. 1, available at: <https://www.amnesty.org/en/wp-content/uploads/2021/05/ASA2312912019ENGLISH.pdf>.

²¹ UN Working Group on Arbitrary Detention (April 24, 2019), Opinions adopted by the Working Group on Arbitrary Detention at its eighty-fourth session, 24 April–3 May 2019, pp. 10-11, available at: https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session84/A_HRC_WGAD_2019_3.pdf.

²² Radio Free Asia (October 28, 2022), “Former RFA reporter receives his passport back from Cambodian court,” available at: <https://www.rfa.org/english/news/cambodia/cambodia-passport-10282022162536.html>.

²³ American Bar Association, Center for Human Rights (February 16, 2021), “Trial Observation Report: Cambodia v. Ros Sokhet,” p. 12, available at: [fair trial report cambodia ros sokhet.pdf \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/pubs/misc/2021/02/20210216_trial_observation_report_cambodia_v_ros_sokhet.pdf)

²⁴ Cambodia Journalists Alliance Association (2023), “Cambodian Journalism Situation Report 2022: An Annual record of reported harassment cases against journalists”, p. 29, available at: <https://www.camboja.net/wp-content/uploads/2023/04/2022-Cambodian-Journalism-Situation-Report-EN.pdf>.

²⁵ Id.

²⁶ Committee to Protect Journalists (August 22, 2022), “Cambodian prime minister’s bodyguards detain 5 journalists covering environmental issues,” available at: <https://cpj.org/2022/08/cambodian-prime-ministers-bodyguards-detain-5-journalists-covering-environmental-issues/>.

²⁷ Cambodian Center for Independent Media (August 19, 2022). “Statement: Deplorable Use of Violence and Detention of Journalists, Activists at Phnom Tamao,” available at: <https://ccimcambodia.org/?p=5860>

²⁸ American Bar Association Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (September 2022). “Trial Observation Report: Cambodia v. Theary Seng,” pp. 11-12, 15, available at: [Trial Observation Report: Cambodia V. Theary Seng \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/pubs/misc/2022/09/20220915_trial_observation_report_cambodia_v_theary_seng.pdf)

²⁹ Seth Mydans – The New York Times (June 14, 2022). “Cambodia Sends U.S. Activist and Other Opposition Members to Prison,” available at: <https://www.nytimes.com/2022/06/14/world/asia/cambodia-theary-seng-sentenced.html>

³⁰ American Bar Association Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (September 2022), “Trial Observation Report: Cambodia v. Theary Seng,” p. 22, available at: [Trial Observation Report: Cambodia V. Theary Seng \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/pubs/misc/2022/09/20220915_trial_observation_report_cambodia_v_theary_seng.pdf)

³¹ UN Working Group on Arbitrary Detention (June 15, 2023), Opinions adopted by the Working Group on Arbitrary Detention at its ninety- sixth session 27 March- 5 April 2023, available at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-2023-5-Cambodia-AEV.pdf>.

³² American Bar Association, Center for Human Rights (December 8, 2022), “Fair Trial Report for Rong Chhun, Labor Union Leader”, p. 2, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/rong-chhun-trial-report.pdf.

³³ Id., p. 3.

³⁴ See Recommendation 110.97: “Reverse the forced closure of media outlets, repeal provisions of the Criminal Code that criminalize defamation and restrict freedom of expression and assembly, and remove, without conditions, the ban on the 118 former members of the [CNRP] from engaging in political activities (United Kingdom of Great Britain and Northern Ireland)”.

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- ³⁵ Cambodian Criminal Code, Articles 494 and 495, available at: <https://www.ajne.org/sites/default/files/resource/laws/7195/criminal-code-cambodia-en-kh.pdf>.
- ³⁶ American Bar Association Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (September 2022), "Trial Observation Report: Cambodia v. Theary Seng," available at: [Trial Observation Report: Cambodia V. Theary Seng \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_theary_seng.pdf)
- ³⁷ American Bar Association Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (November 2020). "Trial Observation Report: Cambodia v. Kong Raiya." https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_kong_raiya.pdf
- ³⁸ American Bar Association Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (September 2022), "Trial Observation Report: Cambodia v. Theary Seng," p. 30, available at: https://www.americanbar.org/groups/human_rights/reports/trial-observation-report-cambodia-v-theary-seng/
- ³⁹ American Bar Association, Center for Human Rights (January 2022), "Fair Trial Report for Sok Oudom, Member of Cambodian Media," p. 7, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/oudom-report-english.pdf.
- ⁴⁰ Committee to Protect Journalists (December 22, 2020). "Cambodia sentences journalist Sok Oudom to 20 months in prison". <https://cpj.org/2020/12/cambodia-sentences-journalist-sok-oudom-to-20-months-in-prison/>
- ⁴¹ American Bar Association, Center for Human Rights (February 16, 2021), "Trial Observation Report: Cambodia v. Ros Sokhet," pp. 11-12, available at: [fair_trial_report_cambodia_ros_sokhet.pdf \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/fair_trial_report_cambodia_ros_sokhet.pdf)
- ⁴² Committee to Protect Journalists (July 27, 2021), "Cambodian reporter Khou Piseth detained for criminal incitement," available at: <https://cpj.org/2021/07/cambodian-reporter-khou-piseth-detained-for-criminal-incitement/>.
- ⁴³ Civicus (January 5, 2022), "Crackdown on Union Strike in Cambodia While Repression of Opposition and Critics Continues," available at: <https://monitor.civicus.org/explore/crackdown-union-strike-cambodia-while-repression-opposition-and-critics-continues/>.
- ⁴⁴ Cambodian Criminal Code, Article 445, available at: <https://www.ajne.org/sites/default/files/resource/laws/7195/criminal-code-cambodia-en-kh.pdf>.
- ⁴⁵ American Bar Association, Center for Human Rights (January 14, 2020), "Trial Observation Report: Cambodia vs. Uon Chhin and Yeang Sothearin," p. 25, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/fairnessreport_cambodia_uc_ys.pdf.
- ⁴⁶ American Bar Association, Center for Human Rights (June 13, 2021), "Cambodia: Freedom of Expression and the Case of Rap Artist Kea Sokun," available at: https://www.americanbar.org/groups/human_rights/reports/kea-sokun/.
- ⁴⁷ American Bar Association, Center for Human Rights (May 9, 2022), "Trial Observation Report: Cambodia v. Kak Sovannchhay," pp. 13-14, available at: https://www.americanbar.org/groups/human_rights/reports/trial-observation-report-cambodia-v-kak-sovannchhay/.
- ⁴⁸ See Recommendation 110.117: "Create an enabling environment for free and pluralistic media, including by ceasing judicial harassment against journalists and abuse of tax regulations to harass media outlets and associations (Greece)".
- ⁴⁹ American Bar Association, Center for Human Rights (January 14, 2020), "Trial Observation Report: Cambodia vs. Uon Chhin and Yeang Sothearin," p. 3, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/fairnessreport_cambodia_uc_ys.pdf.

⁵⁰ Id.

⁵¹ Id., p. 23.

⁵² American Bar Association, Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (November 2020), "Trial Observation Report: Cambodia v. Kong Raiya," pp. 3-4, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_kong_raiya.pdf.

⁵³ Id., p. 4.

⁵⁴ American Bar Association, Center for Human Rights (February 16, 2021), "Trial Observation Report: Cambodia v. Ros Sokhet," p. 12, available at:

[fair_trial_report_cambodia_ros_sokhet.pdf \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_ros_sokhet.pdf)

⁵⁵ Id., p. 17.

⁵⁶ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (September 2022), "Trial Observation Report: Cambodia v. Theory Seng," p. 14, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/theary-seng-trialwatch-report.pdf.

⁵⁷ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (September 2022). "Trial Observation Report: Cambodia v. Theory Seng," p. 16, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/theary-seng-trialwatch-report.pdf.

⁵⁸ Reporters Sans Frontières (Reporters Without Borders) (May 6, 2020), "Cambodia: Hun Sen uses COVID-19 crisis to tighten his grip," available at: <https://rsf.org/en/news/cambodia-hun-sen-uses-covid-19-crisis-tighten-his-grip>.

⁵⁹ Report of the Special Rapporteur on the situation of human rights in Cambodia (A/HRC/45/51) (August 24, 2020), p. 5, para. 20, available at:

[https://cambodia.ohchr.org/sites/default/files/Annual-reports/A_HRC_45_51_AEV%20\(1\).pdf](https://cambodia.ohchr.org/sites/default/files/Annual-reports/A_HRC_45_51_AEV%20(1).pdf).

⁶⁰ Voice of Democracy (March 26, 2021), "Ministry revokes two media licenses on grounds of serious professional abuse," available at: <https://vodkhmer.news/2021/03/26/ministry-of-information-revokes-license-of-two-online-media-outlet-for-spreading-fake-news/> (*note this is a Khmer language resource*).

⁶¹ Cambodian Journalists Alliance Association (2022), "Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists," p. 34, available at:

<https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

⁶² Id., p. 33.

⁶³ Freshnews (April 10, 2021), "Ministry of Information released letter to announce to shut down KO1 TV online", available at: <http://www.freshnewsasia.com/index.php/en/localnews/193183-2021-04-10-09-33-18.html> (*note: Kher language reference*).

⁶⁴ Freedom House, (2023), Cambodia Country Report, available at:

<https://freedomhouse.org/country/cambodia/freedom-world/2023>.

⁶⁵ Committee to Protect Journalists (February 13, 2023), "Cambodian authorities shutter Voice of Democracy news outlet," available at: <https://cpj.org/2023/02/cambodian-authorities-shutter-voice-of-democracy-news-outlet/>.

⁶⁶ Id.

⁶⁷ UN Office of the High Commissioner on Human Rights (February 20, 2023), "Cambodia: UN experts call for reinstatement of Voice of Democracy, say free media critical ahead of elections," available at:

<https://www.ohchr.org/en/press-releases/2023/02/cambodia-un-experts-call-reinstatement-voice-democracy-say-free-media>.

⁶⁸ Cambodia Journalists Alliance Association, *Camboja News* (March 18, 2023), “Information Ministry Revokes Three Media Licenses Following Reports on Senior Official’s Role in Land Fraud”, available at: <https://cambojanews.com/information-ministry-revokes-three-media-licenses-following-reports-on-senior-officials-role-in-land-fraud/>.

⁶⁹ Committee to Protect Journalists (July 20, 2023), “Cambodia blocks websites, social media accounts of 3 outlets ahead of Sunday election,” available at: <https://cpj.org/2023/07/cambodia-blocks-websites-social-media-accounts-of-3-outlets-ahead-of-sunday-election/>.

⁷⁰ Committee to Protect Journalists (May 19, 2022), “CPJ joins call for Cambodia government to revoke plans to establish an internet gateway,” available at: <https://cpj.org/2022/05/cpj-joins-call-for-cambodia-government-to-revoke-plans-to-establish-an-internet-gateway/>.

⁷¹ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 18, available at: <https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

⁷² From 2019 Cycle, established in A/HRC/41/17.

⁷³ Position established in A/HRC/41/17/Add.1, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review.

⁷⁴ Position established in A/HRC/39/15/Add.1, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review.

⁷⁵ A/HRC/41/17/Add.1. Pag. 3. Reasons for the noted recommendations (also for 110.82, 110.84, 110.89, 110.92, and 110.97:

“Freedom of expression (recommendations No. 110.82, 110.84, 110.89, 110.92, 110.97 and 110.117)

11. The Kingdom of Cambodia is very open in regards to all forms of expression. The freedom of expression is guaranteed by the Constitution. Conditions on the freedom of expressions are also stipulated by laws. For instance, a peaceful demonstration requires demonstration leaders and demonstrators to strictly obey the law in order to ensure social order and protect public and private properties.

12. Freedom of expression may be limited as provided for by law and when necessary to protect the rights or reputations of others. The Criminal Code of Cambodia protects dignity and honors of people, which is one of the principles of human rights, and punishes those who abuse the law and other persons’ dignity.

13. Cambodian Criminal Code does not hinder freedom of expression and peaceful and legal assembly. The Code provides for punishment against offenders who violate the law and human rights. Defamation is not subject to imprisonment but it is a criminal offence that can be fined for those perpetrators who infringe good morality of the Khmer society and affect other people’s honors and dignity.

14. There are abundant media platforms in Cambodia ranging from internet, social media, TVs, radios, newspapers, magazines, etc. These media are free to publish without advance censorship or restriction from the government. However, like every other citizen, journalists shall be responsible under the laws if they commit any illegal acts.”

⁷⁶ A/HRC/41/17/Add.1. Pag. 2 Reasons for the noted recommendations (also for 110.30 and 110.100):

“Repealing the amendments of the Laws (recommendations No. 110.30, 110.31 and 110.100)

5. The amendments of the Law on Political Parties was conducted by the legislative body of Cambodia, which represents the will of the Cambodian people. The Constitutional Council also validated the constitutionality of these amendments.

6. The Law on Associations and Non-Governmental Organizations and the Trade Union Law were formulated in conformity with the provisions of the International Covenant on Civil and Political Rights. The formulation had gone through due process in regards to legislation procedures of Cambodia, including consultation with CSOs, trade unions and all relevant stakeholders before being enacted by the National Assembly.”

⁷⁷ A/HRC/41/17/Add.1. Page 4 Reasons for the noted recommendations:

“Election in Cambodia (recommendation No. 110.137)

18. The Constitution provides a multi-party liberal democratic political system. Since 1993, many political parties have contested in the elections organized by the National Election Committee with the financial and technical supports from the EU and other friendly nations, most especially Japan.

19. With political maturity, Cambodian people understand very well about the importance of the elections. The high turnout rate of 83.02% at the national election in 2018 with 20 contested parties reaffirmed such understanding.”

⁷⁸ A/HRC/41/17/Add.1. Pag. 4 Reasons for the noted recommendations:

“Amendment of the law on telecommunications (recommendation No. 110.79)

10. Telecommunication Law was formulated so as to protect the rights of users and their privacy and to promote the freedom of expression in accordance with the Cambodian Constitution and laws in force.”

⁷⁹ Amnesty International (October 27, 2019), “Cambodia: Release Prisoners of Conscience Kong Raiya and Soung Neakpaon,” p. 1, available at: <https://www.amnesty.org/en/wp-content/uploads/2021/05/ASA2312912019ENGLISH.pdf>.

⁸⁰ Cambodia Journalists Alliance Association (2023), “Cambodian Journalist Situation Report 2020: An Annual record of reported harassment cases against journalists”, p. 23, available at: Cambodian-Journalism-Situation-Report-2020.pdf (camboja.net)

⁸¹ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 29, available at: <https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

⁸² Cambodia Journalists Alliance Association (2023), “Cambodian Journalism Situation Report 2022: An Annual record of reported harassment cases against journalists”, p. 12, available at: <https://www.camboja.net/wp-content/uploads/2023/04/2022-Cambodian-Journalism-Situation-Report-EN.pdf>.

⁸³ Id., p. 18.

⁸⁴ Id.

⁸⁵ CamboJa News (August 22, 2022), “Preah Vihear journalist assaulted by military commander,” available at: <https://cambojanews.com/preah-vihear-journalist-assaulted-by-military-commander/>.

⁸⁶ Kerry Kennedy and Jared Genser, RFK Human Rights, The Washington Post (November 10, 2022), “This American is a Political Prisoner in Cambodia. How is that Okay?” available at: <https://www.washingtonpost.com/opinions/2022/11/10/biden-cambodia-theary-seng-prisoner/>.

⁸⁷ Radio Free Asia (July 18, 2022), “Jailed Cambodian American activist wants transfer back to Phnom Penh,” available at: <https://www.rfa.org/english/news/cambodia/thearyseng-07182022190448.html>.

⁸⁸ UN Working Group on Arbitrary Detention (April 24, 2019), Opinions adopted by the Working Group on Arbitrary Detention at its eighty-fourth session, 24 April–3 May 2019, pp. 10-11, available at: https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session84/A_HRC_WGAD_2019_3.pdf.

⁸⁹ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (November 2020), “Trial Observation Report: Cambodia v. Kong Raiya,” pp. 11-

13, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_kong_raiya.pdf.

⁹⁰ Id., p. 11, 3.

⁹¹ American Bar Association, Center for Human Rights (January 2022), “Fair Trial Report for Sok Oudom, Member of Cambodian Media,” p. 7, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/oudom-report-english.pdf.

⁹² Committee to Protect Journalists (December 22, 2020), “Cambodia sentences journalist Sok Oudom to 20 months in prison,” available at: <https://cpj.org/2020/12/cambodia-sentences-journalist-sok-oudom-to-20-months-in-prison/>.

⁹³ American Bar Association, Center for Human Rights (February 16, 2021), “Trial Observation Report: Cambodia v. Ros Sokhet,” p. 12, available at:

[fair_trial_report_cambodia_ros_sokhet.pdf \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_ros_sokhet.pdf)

⁹⁴ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 32, available at:

<https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

⁹⁵ Committee to Protect Journalists (July 27, 2021), “Cambodian reporter Khou Piseth detained for criminal incitement,” available at: <https://cpj.org/2021/07/cambodian-reporter-khou-piseth-detained-for-criminal-incitement/>.

⁹⁶ Cambodia Journalists Alliance Association (2023), “Cambodian Journalism Situation Report 2022: An Annual record of reported harassment cases against journalists”, p. 29, available at:

<https://www.camboja.net/wp-content/uploads/2023/04/2022-Cambodian-Journalism-Situation-Report-EN.pdf>.

⁹⁷ Id.

⁹⁸ Radio Free Asia (June 30, 2022), “Former RFA reporter in Cambodia loses appeal to have passport returned,” available at: <https://www.rfa.org/english/news/cambodia/appeal-06302022173624.html>.

⁹⁹ UN Working Group on Arbitrary Detention (April 24, 2019), Opinions adopted by the Working Group on Arbitrary Detention at its eighty-fourth session, 24 April–3 May 2019, p. 3, para. 16, available at:

https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session84/A_HRC_WGAD_2019_3.pdf.

¹⁰⁰ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (September 2022), “Trial Observation Report: Cambodia v. Theary Seng,” pp. 22-23, available at: [Trial Observation Report: Cambodia V. Theary Seng \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/trial_observation_report_cambodia_v_theary_seng.pdf)

¹⁰¹ Radio Free Asia (October 28, 2022), “Former RFA reporter receives his passport back from Cambodian court,” available at: <https://www.rfa.org/english/news/cambodia/cambodia-passport-10282022162536.html>.

¹⁰² Cambodian Journalists Alliance Association (July 17, 2023), “Seng Theary Begins Hunger Strike, After UN Declares Her Arbitrarily Detained,” available at: <https://cambojanews.com/seng-theary-begins-hunger-strike-after-un-declares-her-arbitrarily-detained/>.

¹⁰³ American Bar Association, Center for Human Rights (December 8, 2022), “Fair Trial Report for Rong Chhun, Labor Union Leader,” p. 3, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/rong-chhun-trial-report.pdf.

¹⁰⁴ Civicus (October 4, 2022), “Authorities Continue to Harass Nagaworld Union Strikers and Criminalise Activists and Opposition Members in Cambodia”, available at:

<https://monitor.civicus.org/explore/authorities-continue-harass-nagaworld-union-strikers-and-criminalise-activists-and-opposition-members-cambodia/>.

¹⁰⁵ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (September 2022), "Trial Observation Report: Cambodia v. Theary Seng," pp. 40, available at: [Trial Observation Report: Cambodia V. Theary Seng \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_theary_seng.pdf)

¹⁰⁶ Id., pp. 22-23.

¹⁰⁷ Id., pp. 21-23.

¹⁰⁸ Committee to Protect Journalists (August 22, 2022), "Cambodian prime minister's bodyguards detain 5 journalists covering environmental issues," available at:

<https://cpj.org/2022/08/cambodian-prime-ministers-bodyguards-detain-5-journalists-covering-environmental-issues/>.

¹⁰⁹ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (November 2020), "Trial Observation Report: Cambodia v. Kong Raiya," pp. 2-3, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_kong_raiya.pdf.

¹¹⁰ American Bar Association, Center for Human Rights (January 14, 2020), "Trial Observation Report: Cambodia vs. Uon Chhin and Yeang Sothearin," p. 25, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/fairnessreport_cambodia_uc_ys.pdf.

¹¹¹ Cambodia Journalists Alliance Association (2021), "Cambodian Journalism Situation Report 2020: An annual record of reported harassment cases against journalists," p. 26, available at:

<https://www.camboja.net/wp-content/uploads/2021/03/Cambodian-Journalism-Situation-Report-2020.pdf>.

¹¹² American Bar Association, Center for Human Rights (January 2022), "Fair Trial Report for Sok Oudom, Member of Cambodian Media," p. 7, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/oudom-report-english.pdf.

¹¹³ American Bar Association, Center for Human Rights (February 16, 2021), "Trial Observation Report: Cambodia v. Ros Sokhet," pp. 11-12, available at:

[fair_trial_report_cambodia_ros_sokhet.pdf \(americanbar.org\)](https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/fair_trial_report_cambodia_ros_sokhet.pdf)

¹¹⁴ American Bar Association, Center for Human Rights (December 8, 2022), "Fair Trial Report for Rong Chhun, Labor Union Leader", p. 2, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/rong-chhun-trial-report.pdf.

¹¹⁵ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice's TrialWatch Initiative (September 2022), "Trial Observation Report: Cambodia v. Theary Seng," p. 12, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/theary-seng-trialwatch-report.pdf.

¹¹⁶ American Bar Association, Center for Human Rights (June 13, 2021), "Cambodia: Freedom of Expression and the Case of Rap Artist Kea Sokun," available at:

https://www.americanbar.org/groups/human_rights/reports/kea-sokun/.

¹¹⁷ Cambodia Journalists Alliance Association (2021), "Cambodian Journalism Situation Report 2020: An annual record of reported harassment cases against journalists," p. 26, available at:

<https://www.camboja.net/wp-content/uploads/2021/03/Cambodian-Journalism-Situation-Report-2020.pdf>.

¹¹⁸ American Bar Association, Center for Human Rights (May 9, 2022), "Trial Observation Report: Cambodia v. Kak Sovannchhay," pp. 13-14, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/cambodia-sovannchhay-trialwatch-report.pdf

¹¹⁹ Committee to Protect Journalists (July 27, 2021), “Cambodian reporter Khou Piseth detained for criminal incitement,” available at: <https://cpj.org/2021/07/cambodian-reporter-khou-piseth-detained-for-criminal-incitement/>.

¹²⁰ Civicus (January 5, 2022), “Crackdown on Union Strike in Cambodia While Repression of Opposition and Critics Continues,” available at: <https://monitor.civicus.org/explore/crackdown-union-strike-cambodia-while-repression-opposition-and-critics-continues/>.

¹²¹ Committee to Protect Journalists (October 1, 2021), “Cambodia sentences journalist Youn Chhiv to 1 year in prison,” available at: <https://cpj.org/2021/10/cambodia-sentences-journalist-youn-chhiv-to-1-year-in-prison/>.

¹²² American Bar Association, Center for Human Rights (May 9, 2022), “Trial Observation Report: Cambodia v. Kak Sovannchhay,” p. 14, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/cambodia-sovannchhay-trialwatch-report.pdf.

¹²³ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 28, available at: <https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

¹²⁴ Cambodia Journalists Alliance Association (2023), “Cambodian Journalism Situation Report 2022: An Annual record of reported harassment cases against journalists”, p. 30, available at: <https://www.camboja.net/wp-content/uploads/2023/04/2022-Cambodian-Journalism-Situation-Report-EN.pdf>.

¹²⁵ UN Working Group on Arbitrary Detention (June 15, 2023), Opinions adopted by the Working Group on Arbitrary Detention at its ninety- sixth session 27 March- 5 April 2023, available at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-2023-5-Cambodia-AEV.pdf>

¹²⁶ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (September 2022), “Trial Observation Report: Cambodia v. Theory Seng,” pp. 22-23, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/theory-seng-trialwatch-report.pdf.

¹²⁷ Id., pp. 21-23.

¹²⁸ Cambodia Journalists Alliance Association (2023), “Cambodian Journalist Situation Report 2022: An Annual record of reported harassment cases against journalists”, p. 30, available at: <https://www.camboja.net/wp-content/uploads/2023/04/2022-Cambodian-Journalism-Situation-Report-EN.pdf>.

¹²⁹ Id., p. 31.

¹³⁰ American Bar Association, Center for Human Rights (January 14, 2020), “Trial Observation Report: Cambodia vs. Uon Chhin and Yeang Sothearin,” p. 25, available at: https://www.americanbar.org/content/dam/aba/administrative/human_rights/fairnessreport_cambodia_uc_ys.pdf.

¹³¹ Id., p. 3.

¹³² Id., p. 3.

¹³³ Id., p. 23.

¹³⁴ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (November 2020), “Trial Observation Report: Cambodia v. Kong Raiya,” pp. 3-4, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_kong_raiya.pdf.

¹³⁵ Id., p. 4.

¹³⁶ American Bar Association, Center for Human Rights (February 16, 2021), “Trial Observation Report: Cambodia v. Ros Sokhet,” p. 12, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_ros_sokhet.pdf.

¹³⁷ Id., p. 17.

¹³⁸ American Bar Association, Center for Human Rights (January 2022), “Fair Trial Report for Sok Odom, Member of Cambodian Media,” p. 1, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/oudom-report-english.pdf.

¹³⁹ American Bar Association, Center for Human Rights (February 16, 2021), “Trial Observation Report: Cambodia v. Ros Sokhet,” p. 13, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/fair_trial_report_cambodia_ros_sokhet.pdf.

¹⁴⁰ American Bar Association, Center for Human Rights (January, 2022), “Fair Trial Report for Sok Odom, Member of Cambodian Media,” p. 13, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/justice-defenders/oudom-report-english.pdf.

¹⁴¹ Id., p. 9.

¹⁴² American Bar Association, Center for Human Rights (June 13, 2021), “Cambodia: Freedom of Expression and the Case of Rap Artist Kea Sokun,” available at:

https://www.americanbar.org/groups/human_rights/reports/kea-sokun/.

¹⁴³ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (September 2022), “Trial Observation Report: Cambodia v. Theory Seng,” p. 14, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/theory-seng-trialwatch-report.pdf.

¹⁴⁴

Radio Free Asia (June 16, 2021), “Cambodian Court Upholds 18-Month Sentence for Rapper who Dissed Government,” available at: <https://www.rfa.org/english/news/cambodia/rap-06162021145137.html>.

¹⁴⁵ Civicus (January 5, 2022), “Crackdown on Union Strike in Cambodia While Repression of Opposition and Critics Continues,” available at: <https://monitor.civicus.org/explore/crackdown-union-strike-cambodia-while-repression-opposition-and-critics-continues/>.

¹⁴⁶ Committee to Protect Journalists (October 1, 2021), “Cambodia sentences journalist Youn Chhiv to 1 year in prison,” available at: <https://cpj.org/2021/10/cambodia-sentences-journalist-youn-chhiv-to-1-year-in-prison/>.

¹⁴⁷ American Bar Association, Center for Human Rights and the Clooney Foundation for Justice’s TrialWatch Initiative (September 2022). “Trial Observation Report: Cambodia v. Theory Seng,” p. 16, available at:

https://www.americanbar.org/content/dam/aba/administrative/human_rights/trialwatch/theory-seng-trialwatch-report.pdf.

¹⁴⁸ UN Working Group on Arbitrary Detention (June 15, 2023), Opinions adopted by the Working Group on Arbitrary Detention at its ninety- sixth session 27 March- 5 April 2023, available at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-2023-5-Cambodia-AEV.pdf>.

¹⁴⁹ Reporters Sans Frontières (Reporters Without Borders) (May 6, 2020), “Cambodia: Hun Sen uses COVID-19 crisis to tighten his grip,” available at: <https://rsf.org/en/news/cambodia-hun-sen-uses-covid-19-crisis-tighten-his-grip>.

¹⁵⁰ Report of the Special Rapporteur on the situation of human rights in Cambodia (A/HRC/45/51) (August 24, 2020), p. 5, para. 20, available at: [https://cambodia.ohchr.org/sites/default/files/Annual-reports/A_HRC_45_51_AEV%20\(1\).pdf](https://cambodia.ohchr.org/sites/default/files/Annual-reports/A_HRC_45_51_AEV%20(1).pdf).

¹⁵¹ Reporters Without Borders (December 28, 2020), “Cambodian journalist gets 20 months in jail for livestream,” available at: <https://rsf.org/en/cambodian-journalist-gets-20-months-jail-livestream>.

¹⁵² Cambodia Journalists Alliance Association (2021), “Cambodian Journalism Situation Report 2020: An annual record of reported harassment cases against journalists,” p. 22, available at: <https://www.camboja.net/wp-content/uploads/2021/03/Cambodian-Journalism-Situation-Report-2020.pdf>.

¹⁵³ Id., p. 21.

¹⁵⁴ Committee to Protect Journalists (May 19, 2022), “CPJ joins call for Cambodia government to revoke plans to establish an internet gateway,” available at: <https://cpj.org/2022/05/cpj-joins-call-for-cambodia-government-to-revoke-plans-to-establish-an-internet-gateway/>.

¹⁵⁵ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 34, available at: <https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

¹⁵⁶ Voice of Democracy (March 26, 2021), “Ministry revokes two media licenses on grounds of serious professional abuse,” available at: <https://vodkhmer.news/2021/03/26/ministry-of-information-revokes-license-of-two-online-media-outlet-for-spreading-fake-news/> (*note this is a Khmer language resource*).

¹⁵⁷ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 34, available at: <https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

¹⁵⁸ Id., p. 33.

¹⁵⁹ Freshnews (April 10, 2021), “Ministry of Information released letter to announce to shut down KO1 TV online”, available at: <http://www.freshnewsasia.com/index.php/en/localnews/193183-2021-04-10-09-33-18.html> (*note: Kher language reference*).

¹⁶⁰ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 33, available at: <https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

¹⁶¹ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 31, available at: <https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

¹⁶² Committee to Protect Journalists (August 16, 2021), “Cambodian authorities force reporters to delete photos, video of protest,” available at: <https://cpj.org/2021/08/cambodian-authorities-force-reporters-to-delete-photos-video-of-protest/>.

¹⁶³ Cambodian Journalists Alliance Association (2022), “Cambodian Journalism Situation Report 2021: An annual record of reported harassment cases against journalists,” p. 18, available at: <https://www.camboja.net/wp-content/uploads/2022/05/Final-of-Cambodian-Journalism-Situation-Report-2021-HIGH.pdf>.

¹⁶⁴ Freedom House (2022), Freedom on the Net - Cambodia Country Report, available at: <https://freedomhouse.org/country/cambodia/freedom-net/2022>.

¹⁶⁵ Freedom House, (2023), Cambodia Country Report, available at:

<https://freedomhouse.org/country/cambodia/freedom-world/2023>.

¹⁶⁶ Committee to Protect Journalists (May 19, 2022), “CPJ joins call for Cambodia government to revoke plans to establish an internet gateway,” available at: <https://cpj.org/2022/05/cpj-joins-call-for-cambodia-government-to-revoke-plans-to-establish-an-internet-gateway/>.

¹⁶⁷ Committee to Protect Journalists (February 13, 2023), “Cambodian authorities shutter Voice of Democracy news outlet,” available at: <https://cpj.org/2023/02/cambodian-authorities-shutter-voice-of-democracy-news-outlet/>.

¹⁶⁸ UN Office of the High Commissioner on Human Rights (February 20, 2023), “Cambodia: UN experts call for reinstatement of Voice of Democracy, say free media critical ahead of elections,” available at: <https://www.ohchr.org/en/press-releases/2023/02/cambodia-un-experts-call-reinstatement-voice-democracy-say-free-media>.

¹⁶⁹ Cambodia Journalists Alliance Association, Camboja News (March 18, 2023), “Information Ministry Revokes Three Media Licenses Following Reports on Senior Official’s Role in Land Fraud”, available at: <https://cambojanews.com/information-ministry-revokes-three-media-licenses-following-reports-on-senior-officials-role-in-land-fraud/>.

¹⁷⁰ Khmer Times (March 21, 2023), “Camboja in trouble for misreporting Info Ministry’s decision-making,” available at: https://www.khmertimeskh.com/501258640/camboja-in-trouble-for-misreporting-info-ministrys-decision-making/?_cf_chl_tk=6DRB8_cXwXXH_S3U.2GK0y_QixSJiLMGI4arU9TuuZk-1690287836-0-gaNycGzNESU;

Freedom House, (2023), Cambodia Country Report, available at:

<https://freedomhouse.org/country/cambodia/freedom-world/2023>.

¹⁷¹ Committee to Protect Journalists (July 20, 2023), “Cambodia blocks websites, social media accounts of 3 outlets ahead of Sunday election,” available at: <https://cpj.org/2023/07/cambodia-blocks-websites-social-media-accounts-of-3-outlets-ahead-of-sunday-election/>.