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Cambodian Journalists Alliance Association

CAMBODIAN JOURNALISM SITUATION REPORT 2021

An annual record of reported harassment cases
against journalists



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Table of Contents

Executive summary	4
I. Introduction	5
II. Methodology	6
1. Method and data collection	
2. Scope and limitations	
III. Key Findings	8
1. Year-on-year trends in harassment of journalists	8
2. Location of harassment cases	9
3. Types of harassment	10
3.1. Legal action	
3.2. Revoked license	
3.3. Violence	
3.4. Detained for questioning	
3.5. Imprisonment	
4. Types of media outlets	15
5. Laws and regulations concerning press freedom	16
5.1. Sub-decree on the establishment of the National Internet Gateway (NIG)	
5.2. Ministry of Information empowers local authorities to take legal action against journalists	
5.3. Phnom Penh police ban journalists from broadcasting law enforcement activities live	
5.4. Information Ministry warns journalists against ‘ambulance chasing’	
5.5. Ministry of Information establishes a monitoring committee for journalism ethics	
6. Journalists & COVID-19	20
IV. Conclusion and Recommendations	26
V. Annex	28



Executive summary

CamboJA's 2021 report on harassment against journalists provides a sobering reminder that the fear of physical violence and imprisonment remains an ever-present part of being an independent journalist in Cambodia.

After releasing our first annual report on harassment against journalists last year, the situation has only gotten worse.

CamboJA recorded 49 cases of harassment against 96 journalists in 2021, based on news reports, social media posts, court documents and interviews. More than 42 of those journalists involved (over 43% of the total) were detained for questioning and imprisoned. That case count represents a worrying 40% jump in cases compared to last year, while the number of journalists harassed has also gone up by almost a third.

Our goal in reporting these incidents is two-fold: pushing for justice for individual journalists and advocating for systemic change that will create an environment in which journalists need not fear doing their jobs.

CamboJA hopes this report will help advance the conversation between stakeholders — including the government — about how to better protect journalists in Cambodia.

Violence also remains a risk of the job. At least 38 journalists were either attacked or threatened with violence while on duty (18 journalists were physically attacked while 20 others received violent threats and intimidation).

Seven media licenses were revoked which over accusations that journalists spread false information and caused chaos in society related to Covid-19

The Criminal Code is too often used as a tool to intimidate and jail journalists. CamboJA's research shows that most of the journalists who were arrested in 2021 were charged with incitement to commit felony or extortion. As of December 2021, at least eight journalists remain in prison for criminal charges.

The ongoing imprisonment, detention and physical threats against journalists continues to undermine the media's role in a democratic society and strikes fear in those who cover stories or cases involving powerful officials.

And the courts offer little recourse to journalists who face arbitrary threats and injustice, with CamboJA unable to document a single example of the courts prosecuting officials and other individuals who harassed members of the media.

This impunity for crimes against journalists compounds the sense of fear and futility for those seeking to expose bad actors inside and outside of government.

This report is dedicated to the journalists and their families who have faced threats, violence, and imprisonment for their reporting. Too many have lost months and years of their lives to Cambodia's overcrowded prisons.



Digital Publisher Yuon Chhiv being sent to prison on September 30, 2021. Photo: Koh Kong provincial police.

I. Introduction

Though there has been an increase in the number of media outlets in Cambodia, especially online media outlets and media associations, freedom of the press remains a challenge.

According to a Ministry of Information report¹, by the end of 2021 there were a total of 2,017 outlets registered, including 706 websites, 81 video news outlets, 193 magazines, 22 bulletin newsletters, 26 foreign news agencies with local offices and 50 media associations.

Yet these numbers fail to convey how Cambodia's government has cracked down on media freedom since 2017. The jailing of two prominent Radio Free Asia journalists on improbably pornography charges — along with the daily drumbeat of smaller-scale harassment — has made self-censorship the unfortunate status quo for many outlets and individual journalists.

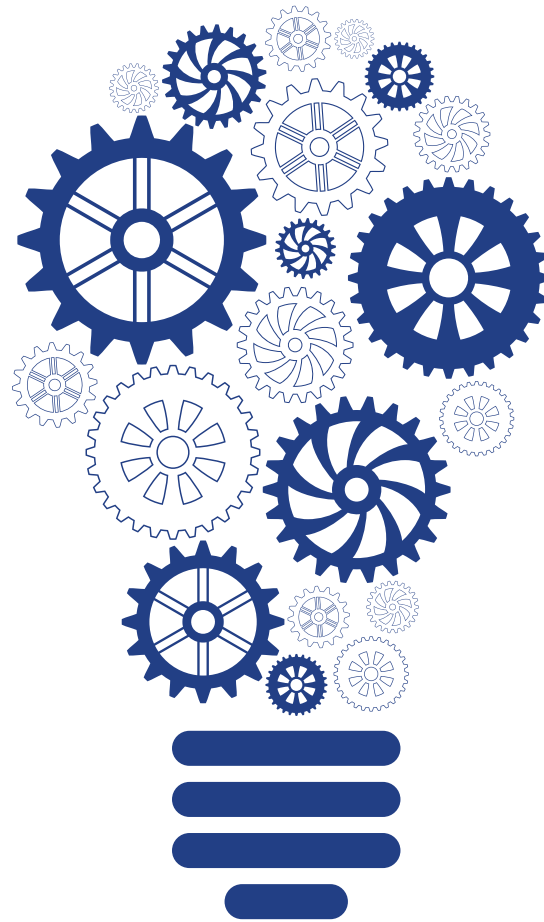
Discrimination, intimidation, imprisonment, false accusations, harassment, and violent attacks are regularly committed against journalists. Cambodia's ranking on the World Press Freedom Index dropped from 132 in 2017 to 144 in both 2020 and 2021.²

On the other hand, the ethics and standards practiced by Cambodia's press corps, especially online media reporters, remain inconsistent, leading to unprofessional conduct and unethical journalism that sometimes leads to justified prosecution and accusations of impropriety.

This report aims to focus on those cases in which available evidence suggests that journalists came under attack — physical, verbal legal, administrative or otherwise — for exercising their legal rights and freedoms under both Cambodia's Constitution and international law.

¹ Orm Bunthoeurn, "Kingdom boasts over 2,000 print, online and TV outlets," The Phnom Penh Post, January 6, 2022, <https://bit.ly/3NINIUD>

² Reporters Without Border, "2020 World Press Freedom Index", <https://rsf.org/en/cambodia>



II. Methodology

1. METHOD & DATA COLLECTION

This report employed a qualitative method. Data on harassment cases against journalists was compiled using reported cases in various media outlets, social media posts and public announcements from courts.

Cases were verified through phone calls, desk review, monitoring the trial process and interviews with lawyers, journalists and their family members. In cases involving journalists accused of committing crimes, CamboJA counted them as harassment if one or more of the journalists involved denied the accusations or charges.

SOME KEY TERMS USED IN THIS REPORT ARE DEFINED AS FOLLOWS:

- Journalists includes media workers such as reporters, freelancers, photojournalists, support staff and fixers and others with press cards from the Ministry of Information or ID cards from their own outlets. It does not include social media users without any of these professional credentials.
- Harassment cases cover all types of attacks, from violence to threats, arrest, jailing, legal actions and revoked licenses.
- Legal action means legal or judicial actions against journalists, including complaints and summons for questioning.
- Revoked license means the Ministry of Information has officially withdrew the license of a specific media outlet.
- Violence covers physical violence, threats of physical violence, and intimidation causing fear of violence.
- Detention means detained for questioning for few hours or overnight but not charged and imprisoned.
- Imprisonment means placed in jailed for pre-trial detention on specific charged or imprisoned after conviction.

2. SCOPE AND LIMITATIONS

This report has some limitations and gaps. It does not necessarily include all harassment cases against journalists in 2021, but only reported cases from January-December 2021 that were identified during CamboJA's research. It is likely that many additional cases went unreported, as journalists often face harassment in the provinces, where incidents are more likely to remain hidden due to limited resources for monitoring and legal assistance.

III. Key Findings

1. YEAR-ON-YEAR TRENDS IN HARASSMENT OF JOURNALISTS

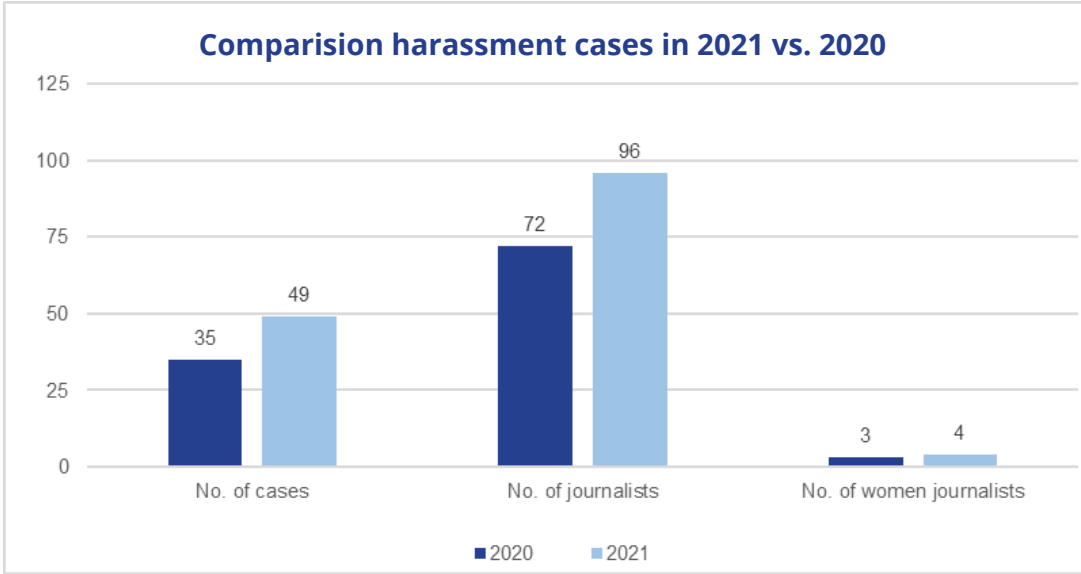
The number of journalists arrested and harassed while on duty increased by nearly 50% in 2021 compared to 2020, the first year that CamboJA tracked such incidents. This rise was due to the government’s ongoing crackdown on press freedom, specifically around reporting on politics, land disputes and COVID-19.

In 2021, there are 49 harassment cases — including physical attacks, threats of violence, arrest, imprisonment, and other legal actions — against 96 journalists, compared to 35 cases against 72 journalists in 2020. Those figures represent a 40% increase in cases and a 33% increase in the number of journalists targeted.

TABLE 1: NUMBER OF HARASSMENT CASES RECORDED IN 2020 AND 2021

Year	No. of cases	No. of journalists	No. of women journalists
2020	35	72	3
2021	49	96	4

FIGURE 1: COMPARISON OF HARASSMENT CASES IN 2021 VS. 2020

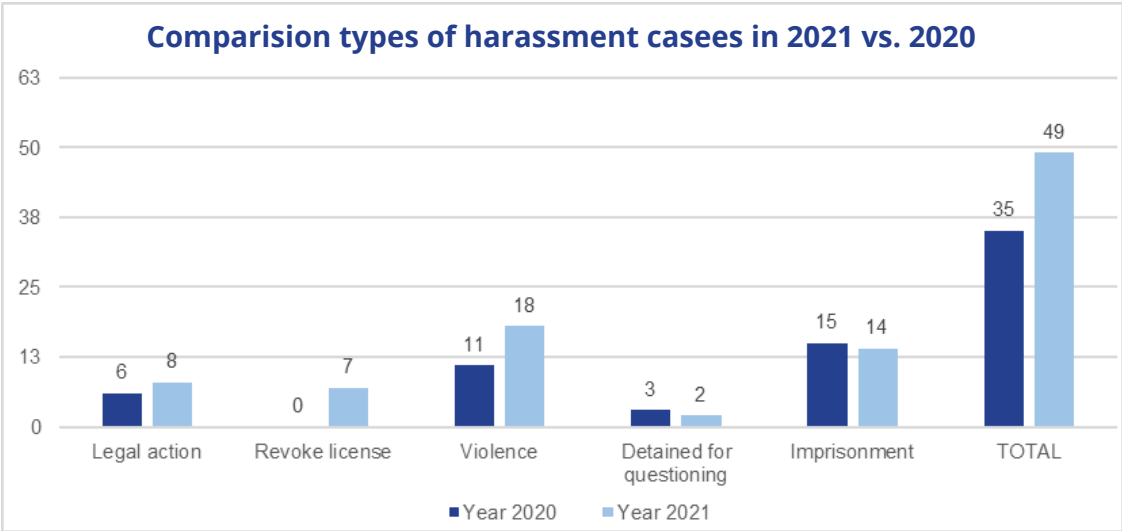


When we look at the types of harassment cases in 2021 compared to 2020, the most significant increase was threats of violence (18 cases in 2021, compared to 11 in 2020) and revoking media licenses (7 cases in 2021 and 0 in 2020).

TABLE 2: TYPES OF HARASSMENT CASES RECORDED IN 2020 AND 2021

Type of harassment	Year 2020	Year 2021
Legal action	6	8
Revoke license	0	7
Violence	11	18
Detained for questioning	3	2
Imprisonment	15	14
TOTAL	35	49

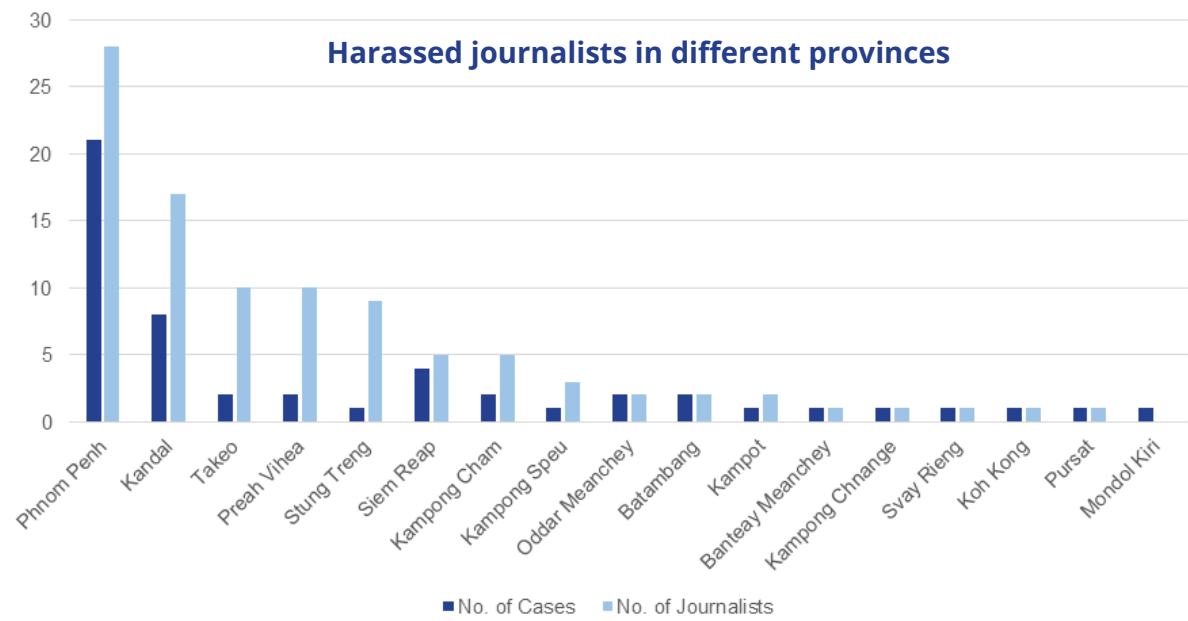
FIGURE 2: COMPARISON TYPES OF HARASSMENT CASES IN 2021 VS. 2020



2. LOCATION OF HARASSMENT CASES

Cases of harassment were widespread, with incidents recorded in 17 of the 25 provinces throughout Cambodia.

FIGURE 3: JOURNALISTS WERE HARASSED IN 17 DIFFERENT PROVINCES



Among those 17 provinces, the majority of cases were in the capital city Phnom Penh, along with the provinces of Kandal, Takeo, Preah Vihear and Stung Treng. Those five locations accounted for over 75% of harassed journalists (72 out of 96 total). Most cases in these four provinces involved journalists being physically or legally harassed for reporting on illegal logging and land rights protests.

Most journalists in these four provinces faced three types of harassment: violence, legal action and arrest. In Phnom Penh, where 26 journalists were harassed, most of the cases involved charges related to reporting and commentary on land disputes and COVID-19 issues. Most of them faced threats, revoked media licenses and arrest.

3. TYPES OF HARASSMENT

The following table breaks down the 49 reported harassment cases into five major types: legal action, revoke license, violence, detained for questioning and imprisonment.

TABLE 3: TYPES OF HARASSMENT

Type of harassment	No. of cases	No. of journalists
Legal action	8	9
Revoke license	7	7
Violence	18	38
Detained for questioning	2	5
Imprisonment	14	37
TOTAL	49	96

The most frequent incident type was violence, which accounted for 18 cases involving 38 journalists, or over 39% of the total recorded incidents of harassment against journalists in 2021. The second largest sub-group was imprisonment, which accounted for 14 cases involving 37 journalists.

3.1. Legal action

Officials from provincial governors to district governors and military police — as well as powerful businessmen — at times used the courts as a tool to silence the media.

Nine journalists from nine different media outlets, including TV and online media, were subject to often dubious legal accusations in 2021, summoned and questioned by police and judicial authorities in eight different provinces: Oddar Meanchey, Siem Reap, Battambang, Takeo, Preah Vihear, Kandal, Kampong Cham, and Phnom Penh. In six cases, journalists were charged and convicted with incitement to commit felonies and defamation for covering land disputes.

In some cases, the lawsuit came after journalists said they refused to take bribes from officials to drop the story.

3.2. Revoked license

The Information Ministry revoked at least 7 media licenses — six from news organizations that were accused of spreading false information and causing chaos in society related to COVID-19, and another accused of spreading hate speech against monks and Buddhism.

According to the latest update from the Ministry of Information, a total of 15 media licenses were revoked in 2021, some because of non-renewal by the owners.³

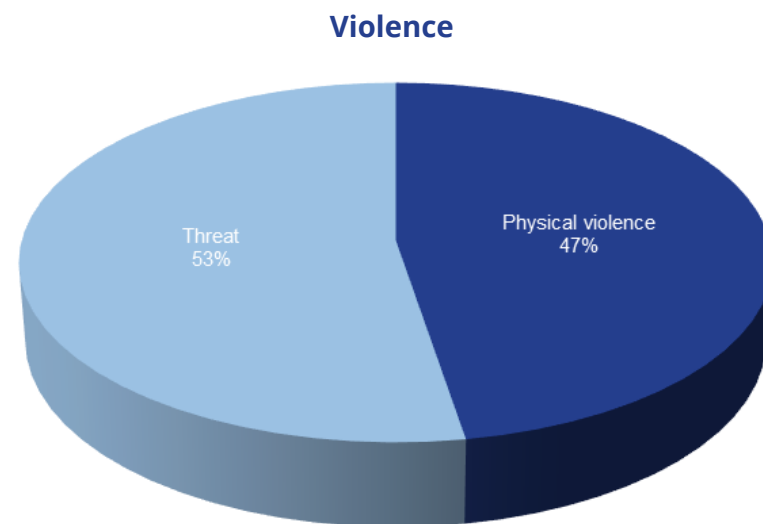
³ Orm Bunthoeurn, “Kingdom boasts over 2,000 print, online and TV outlets,” The Phnom Penh Post, January 6, 2022, <https://www.phnompenhpost.com/national/kingdom-boasts-over-2000-print-online-and-tv-outlets>

3.3. Violence

Among 38 journalists who were subjected to violence while on duty, about half (18 journalists) were physically attacked, while 20 journalists faced threats of violence or intimidation.

Most of the physical attacks occurred when journalists were covering illegal timber trading and cock fighting.

FIGURE 4: TYPES OF VIOLENCE



In all 18 cases of violence, the perpetrators were not brought to justice despite being identified and even sued by the journalists. Suspected perpetrators included local authorities — such as police, military police and district security guards — as well as timber traders, businessmen and other civilians engaged in illegal activities.

3.4. Detained for questioning

Five journalists were detained for questioning because of their work. Three journalists were attempting a live broadcast from a land protest, while the other two were detained for covering traffic incidents.

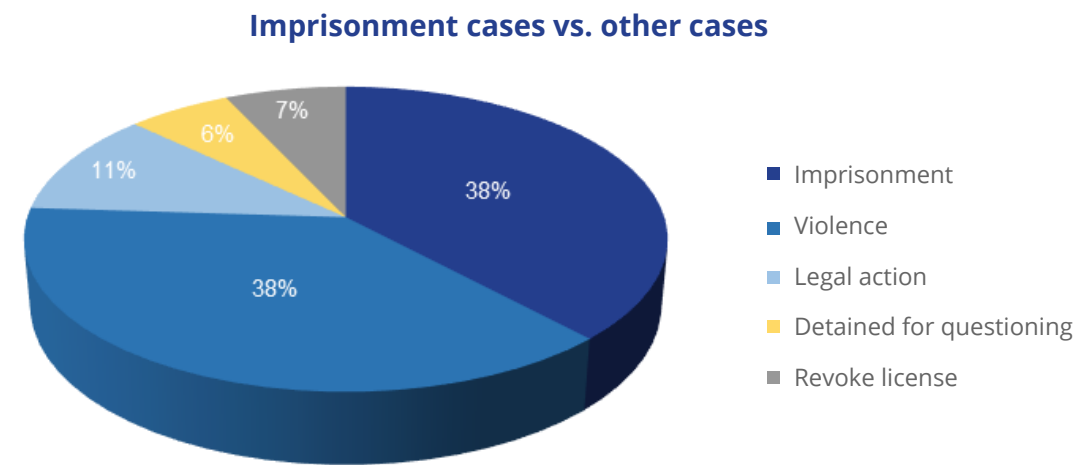


The Ministry of Information issued a public letter on 02 July 2021, saying provincial authorities have the right to prosecute journalists if they interfered with official work.

3.5. Imprisonment

Among the 96 harassed journalists, 37 journalists, or over 38%, were imprisoned. All 37 imprisoned journalists were charged with incitement to commit felonies, extortion and other criminal charges, including violating privacy rights.

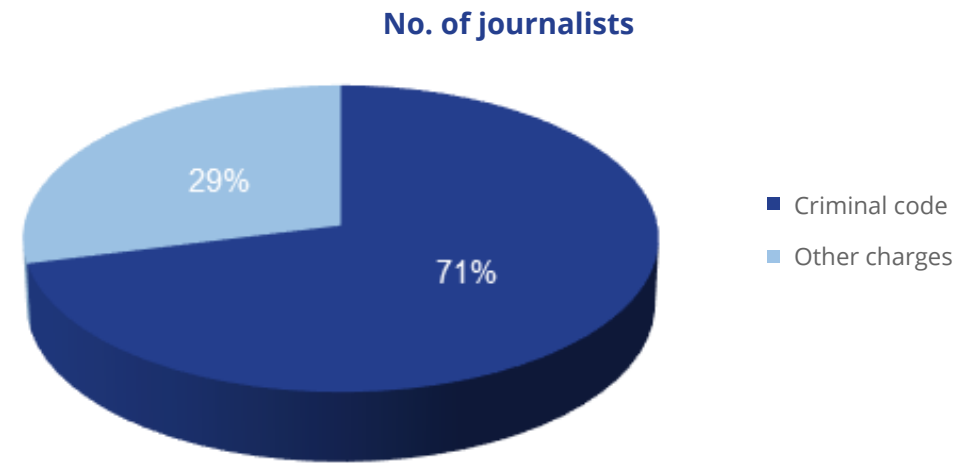
FIGURE 5: IMPRISONMENT CASES VS. OTHER CASES



3.5.1. Conviction using criminal code

Among the 37 imprisoned journalists, 27 were charged with incitement to commit a felony and extortion under articles 495, 363, 364, and 232 of the Criminal Code. In most of these cases, the journalists were arrested without a warrant.

FIGURE 6: ARREST JOURNALISTS USING CRIMINAL CODE



As of December 2021, eight journalists remained in prison or pre-trial detention because of criminal charges, including Yuon Chhiv and Kao Piseth, who were convicted of incitement to commit felony. Six other journalists from online media outlets are still in pre-trial detention on extortion charges. (See annex 19)

3.5.2. Other criminal cases against journalists

Other criminal charges — related to activities including cock fighting, violating privacy rights and violating the inter-province travel ban — were also used to arrest journalists. At least 33 of 38 journalists arrested in 2021 claim their work motivated the arrest, and in some cases said they were intentionally set up.

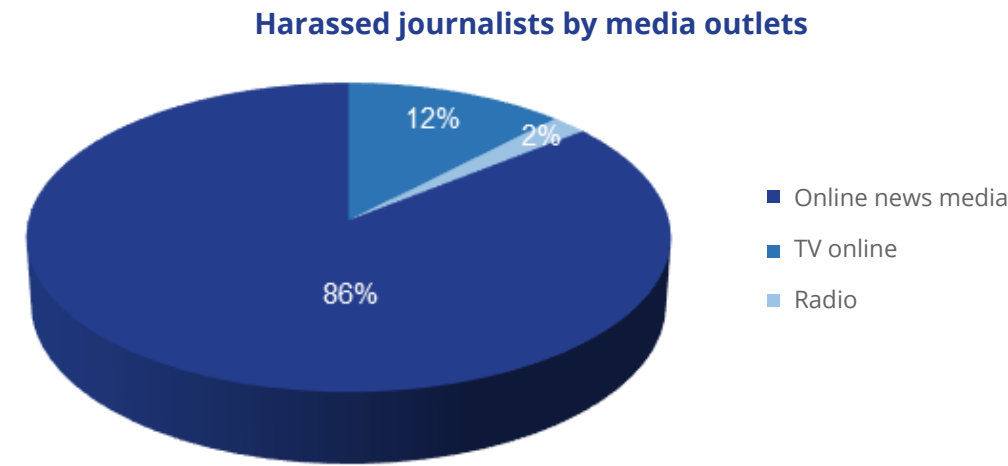
4. TYPES OF MEDIA OUTLETS

Among 96 reportedly harassed journalists, 83 journalists were online media reporters, which includes websites and social media pages. Twelve journalists worked for online TV outlets and two were from radio stations.

TABLE 4: NUMBER OF HARASSED JOURNALISTS BY TYPE OF MEDIA OUTLETS

Type of media outlets	No. of journalists
Online TV	12
Radio	2
Online News Media	82

FIGURE 7: HARASSED JOURNALISTS BY MEDIA OUTLETS



The large majority of online journalists facing harassment likely reflects the rapid increase in online media outlets and the lack of training or institutional protection for the journalists working for these outlets.

5. LAWS AND REGULATIONS CONCERNING PRESS FREEDOM

5.1. Sub-decree on the establishment of the National Internet Gateway (NIG)

Cambodia issued a sub-decree on the establishment of the National Internet Gateway (NIG) on February 16, 2021, prompting concern from civil society groups that its enforcement could restrict online democratic expression and freedom to information.

Following the sub-decree on April 7, three of United Nations rights experts – special rapporteur on the situation of human rights in Cambodia Rhona Smith; special rapporteur on the promotion and protection of the rights to freedom of opinion and expression Irene Khan; and special rapporteur on the right to privacy Joseph Cannataci – wrote a letter to the Ministry of Post and Telecommunications over the proposed legislation.

“Concerns have been expressed that the creation of the NIG would pose serious risks to the right to freedom of expression, including the right to seek, receive and impart information and ideas, as well as the right to privacy,” the rapporteurs wrote in a joint letter, citing Article 17 and 19 of the International Covenant on Civil and Political Rights.

They said the sub-decree has “overly-broad” and “ambiguous terminology” such as “affect safety, national revenue, social order, dignity, culture, tradition and customs”. Such wording, they said, could enable authorities to “carry out arbitrary mass surveillance of private communications and widespread censorship of online content.”

In response, the Ministry of Post and Telecommunications said the concerns were erroneous and contradictory to the sub-decree. It said there are no provisions in the sub-decree that authorize the collection of consumer data, allow the government to conduct individual surveillance or restrict freedom of expression.⁴

5.2. Ministry of Information empowers local authorities to take legal action against journalists

The Ministry of Information has given local authorities the green light to take legal action against journalists deemed unprofessional or accused of spreading false information that obstructs law enforcement.

On July 2, the Information Ministry issued a public letter saying provincial authorities have the right to prosecute journalists if they interfered with official work.

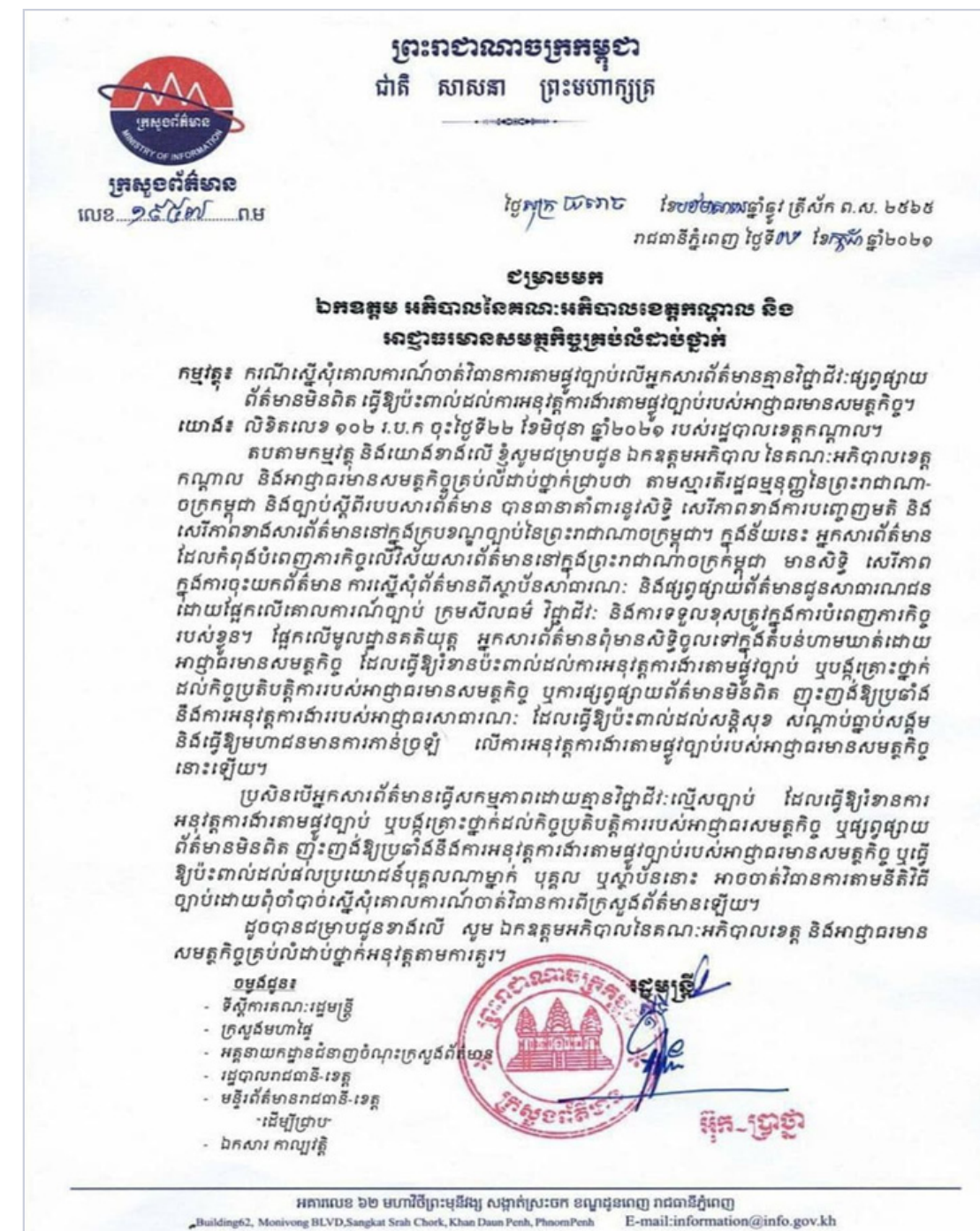
“Legally, journalists have no right to enter areas banned by authorities, disrupting the legal performance or endangering the operations of authorities, or to disseminate false information, incite against the work of authorities, affect public order and society,” the letter reads.

⁴ Niem Chheng, “UN rapporteurs’ concerns on National Internet Gateway ‘imaginary,’” The Phnom Penh Post, 08 June 2021, <https://bit.ly/3LU1jwm>

The ministry made its decision after Kandal provincial authorities wrote to the ministry in June asking it to take legal action against a number of journalists who live streamed a protest against the new airport development.

After this instruction letter from the Ministry of Information, CamboJA has observed a deeply worrying trend of harassment and legal threats against journalists for doing their jobs.

The Ministry of Information, which has claimed to be a defender of press freedom in Cambodia, has — intentionally or not — created an arbitrary guideline that is being used to remove journalists from situations that local authorities and private developers want to hide from the public.



The Ministry of Information issued a public letter on 02 July 2021, saying provincial authorities have the right to prosecute journalists if they interfered with official work.

5.3. Phnom Penh police ban journalists from broadcasting law enforcement activities live

Phnom Penh police have banned journalists from broadcasting live when the authorities enforce the law in public places.

Capital police chief Lt. Gen. Sar Thet instructed all units under the Phnom Penh Municipal Police to strictly forbid the media from live streaming law enforcement activities.

This instruction was given on October 6, during a meeting to review police work in September and plan for the month ahead.

Lt. Gen. Thet also said that if journalists do not comply with instructions from authorities, action must be taken against them because their broadcasts can result in suspects fleeing from being arrested.⁵

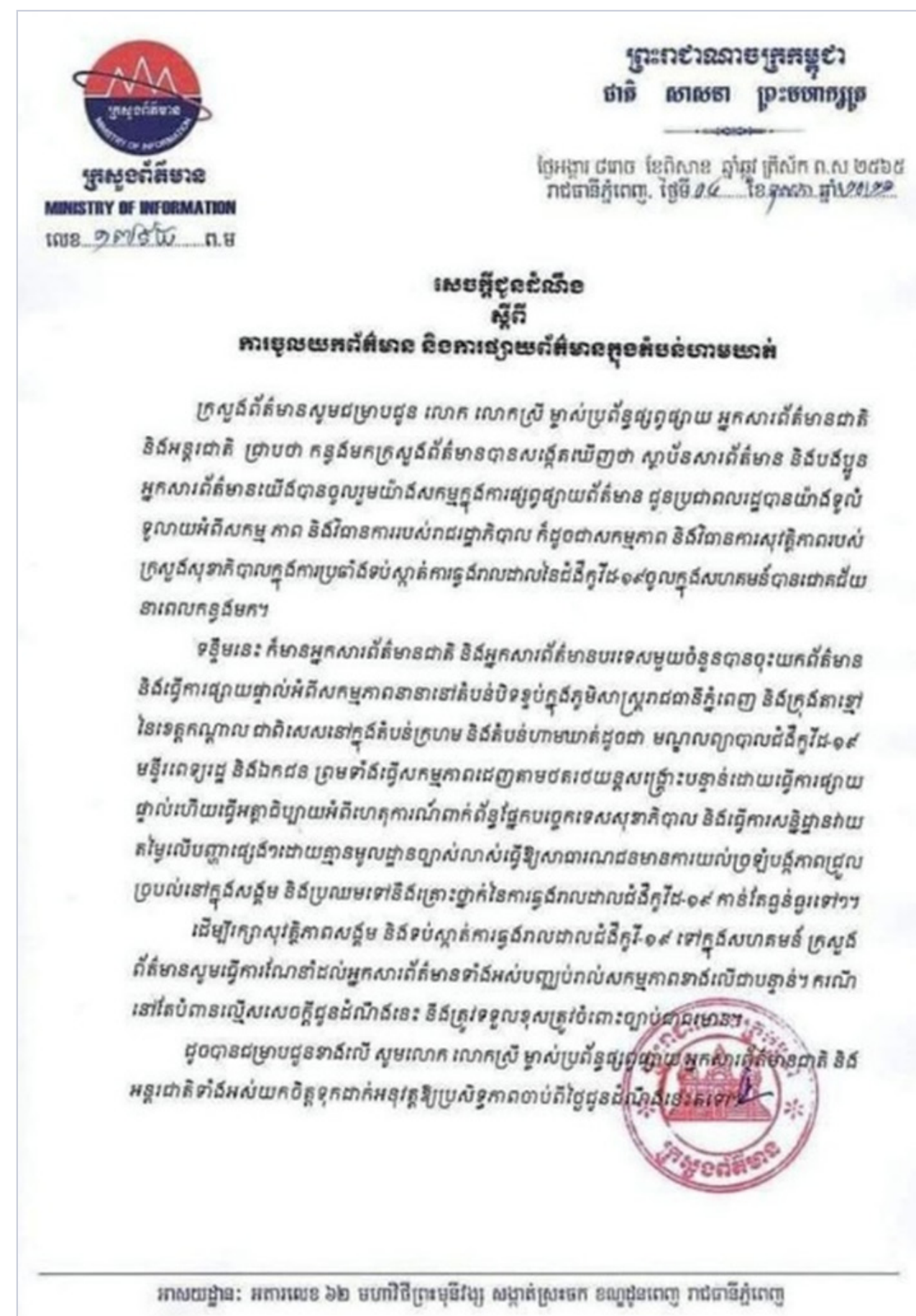
5.4. Information Ministry warns journalists against ‘ambulance chasing’

On May 4, one day after World Press Freedom Day, the Information Ministry on Tuesday issued a letter to journalists warning them that violations of COVID-19 measures could result in legal actions. Though the statement made no mention of specific cases, it came a day after a Facebook livestream showing COVID-19 patients and ambulances waiting for hours to enter a government treatment center went viral.

“To keep the safety of society and to prevent the spread of COVID-19 in the community, the Ministry of Information would like to suggest stopping all activities stated above. In case the violation of this announcement, [you] will be responsible according to the existing law”, read the announcement.⁶

⁵ Tith Kongnov, “PP police bans journalists from broadcasting law enforcement activities live,” Khmer Times, 07 October 2021, <https://bit.ly/3vKB4mi>

⁶ Khuon Narim, “Information Ministry warns journalists against ‘ambulance chasing’ after video of long waits for COVID-19 patients goes viral,” Cambodia News, 04 May 2021, <https://bit.ly/3MTCDUz>



Ministry of Information on 04 May 2021, issued a letter to journalists warning them that violations of COVID-19 measures could result in legal actions.

5.5. Ministry of Information establishes a monitoring committee for journalism ethics

The Ministry of Information established a committee to monitor, evaluate and commend journalists and media units that have complied with the code of ethics and professionalism of journalism.

At the same time, the Ministry states that it will also discipline journalists and any media unit that violates the code of ethics and professionalism in journalism.

The Ministry of Information states the purpose of its decision to set up the commission, issued on August 2, was to guide journalists in performing their duties properly, aiming to enhance the honor and dignity of journalists.

However, Reporters Without Borders (RSF) said this monitoring committee is completely lacking in independence, transparency and accountability and is clearly designed to serve as a new censorship mechanism.

“In other words, this is clearly a new tool of censorship and intimidation that Prime Minister Hun Sen’s government is deploying in order to silence any media outlets that dare to question its policies,” said Daniel Bastard, the head of RSF’s Asia-Pacific desk.⁷

The committee will have 15 members, of whom 11 will be Information and Interior Ministry officials. The only concession to civil society is the decision to give four of the positions on the committee to representatives of journalists’ associations.

6. JOURNALISTS & COVID-19

At least 36 journalists and media workers (4 female) were infected with COVID-19 from January through September 2021, according to CamboJA’s records. One of them passed away.

CamboJA has also noted that press freedom online has been curtailed amid the pandemic, as evidenced by the sharp increase in the number of ‘fake news’ accusations, media licenses revoked, threats, and arrests that took place this year related to COVID-19.

Moreover, one journalist was arrested and charged with incitement and violations of the Covid-19 Law. (See Case Study: Kao Piseth)

CASE STUDY: NOUN SAREOUN

Around noon on 31 March 2021, Noun Sareoun, a journalist from AN Hot News — along with two other from online media outlets Angkor Borei News, and KMM Hot News — attempted to take photos at a cockfighting area in Cheung Prey District, Kampong Cham province. They were attacked by a group of six people armed with wood sticks, and Noun Sareoun’s car was destroyed.

After the violence, Nuon Saroeun sought to file a complaint with the Cheung Prey District authorities, but police did not accept the his complaint. He then phoned to the governor of Kampong Cham province, Un Chandak, who ordered Cheung Prey District authorities to investigate this case.

Kaing Kimhong, deputy inspector of Cheung Prey District, claimed the car was damaged in a traffic accident, requiring one person to take responsibility and pay the victim \$500 to fix the car, ending the case. Noun Roeun accepted the payment, fearing that he would meet further violence if he returned to the area.



Noun Sareoun’s car after an attack by a group of six people on 31 March 2021. Source: Noun Sareoun/AN Hot News.



Pork Kheuy, an intern of VOD, September 04, 2021.

CASE STUDY: PORK KHEUY

At 3:30 pm on September 4, 2021, Pork Kheuy, an intern at Voice of Democracy (VOD), visited the disputed site of the new International Airport in Kandal Stung district, Kandal province, where he attended a press conference held by villagers. Kheuy told CamboJA that about 10 minutes after he arrived at the press conference, authorities dressed in civilian clothes and holding walkie-talkies arrived and began taking pictures of him and his motorcycle.

⁷ RSF, “Cambodia to use ‘ethics committee’ to censor journalists,” RSF, 11 August 2021, <https://bit.ly/3KNTpTN>

At that time, he continued his interviews and spoke with people as usual. When he finished his interviews at around 5:00 pm, he left the press conference to return home. He was followed by two men dressed in civilian clothes driving a motorbike with state license plates.

As he was driving, Kheuy received a phone call from villagers, telling him that the men driving behind him were police. After learning he was being followed, Kheuy sped up his motorcycle, and the men following him sped up as well. Shortly after, five uniformed police jumped out on the road: Kheuy believed they wanted to arrest him and force him to delete his interviews, photos, and videos. Rather than stop, he veered around them and sped up.

The two men following him exchanged motorbikes with the uniformed police and then began following him again, shouting for him to stop and saying they were police. After driving about another 500 meters, the two officers stopped chasing him and he continued home.

“The fact that the police authorities chased me on a motorbike is an act that shows the persecution and obstruction of journalists and that they want to demoralize the journalists who take pictures and report alone, as in my case” said Kheuy.



An Vicheth, a freelance journalist.

CASE STUDY: AN VICHETH & LORS LIB LIB

At 9:10 a.m. on Friday, August 13, authorities in Phnom Penh’s Meanchey district confiscated the identity card of An Vicheth, a journalist for CamboJA, and forced him and another CamboJA member to delete all of their pictures and videos of villagers protesting against a joint police force that was demolishing their houses, located in Boeung Tumpun I commune.

An Vicheth told CamboJA that the authorities even threatened him with arrest if he refused to remove all the images in front of them. He added that although he tried to prove that he was a journalist by presenting the press card, they still forced him to delete all the pictures from his camera and even confiscated his press card. The authorities then refused to return the press card, telling him to collect it at the district office.



Lors Lib Lib, an intern of VOA.

Lors Lib Lib, an intern at Voice of America (VOA) and a member of CamboJA, also had his mobile phone confiscated by district authorities and was forced to delete the photos and videos he captured from the scene. He said that after deleting the photos and videos, the authorities even asked for his motorbike key to search for any other cameras and phones left on his motorbike. During the search, the authorities took another phone of his and deleted all the pictures he took before returning the phone and motorbike key to him.

Vicheth and Lib Lib called their treatment a serious violation of press freedom and said authorities are trying to hide the truth by prohibiting the media from broadcasting real stories of citizens to the wider public.

“This activity of authorities is not hidden, it is in public, so journalists just have the role to capture the images and disseminate information to the public,” Vicheth said.

CamboJA took immediate and ongoing advocacy actions demanding that authorities respect press freedom and seek non-criminal measures to correct allegedly false reporting. Those advocacy actions included releasing statements, issuing letters to the Ministry of Information and Ministry of Interior to take a clear measures against officials who harass and obstruct the work of journalists and to return the confiscated press card to An Vicheth.

As a result, both ministries responded our letters and took corresponding actions. On 9 September, Meanchey district police called An Vicheth to retrieve his press card. On 10 September, Ministry of Information sent a letter to invite CamboJA and concerned reporters including An Vicheth and Lors Liblib, to a meeting on 13 September 2021 at the Ministry of Information to “discuss issues related to the implementation of the role of the authorities on journalists.”



Digital Publisher Yuon Chhiv being sent to prison on September 30, 2021. Photo: Koh Kong provincial police.

CASE STUDY: YUON CHHIV

Yuon Chhiv, 51, an online news publisher, was sued for allegedly broadcasting disinformation related to a land dispute in the Botum Sakor National Park of Koh Kong province. The legal case came after Yuon Chhiv directly criticized Defense Minister Tea Banh during a broadcast via Facebook, regarding local authorities clearing crops and wooden houses on disputed land.

Youn Chhiv was convicted of felony incitement and sentenced to one year in prison for broadcasting what officials say is disinformation related to the land dispute, following a complaint from provincial Deputy Governor Sok Sothy on the orders of Tea Banh.

Before his arrest, Chhiv told CamboJA he had not spread any disinformation about the status of the land, adding that the site of the demolitions had been cultivated by villagers for about 10 years. However, officials have accused the farmers of encroaching on protected parkland.

Human Rights Watch released a statement expressing serious concern about the harassment of Yuon Chhiv, saying his prosecution “shows how the Cambodian government is systematically silencing the few independent journalists and media outlets left in the country.

Nop Vy, executive director of the Cambodian Journalists Alliance Association, said the court brought Chhiv’s case to trial and sentencing too quickly, giving the defendant no opportunity to seek a lawyer or obtain a well-informed legal education. “This seems like a serious threat to other journalists,” he said, adding that the courts should apply the Press Law in such cases rather than the penal code.

CASE STUDY: KAO PISETH

At 12:00 pm on 14 July 2021, Kao Piseth, 32, an online news journalist, was arrested in Battambang province and charged with incitement to commit a felony after publicly criticizing the government’s use of Chinese-made vaccines to inoculate the population against COVID-19.

Provincial military police officer Tou Dy told CamboJA that Piseth had posted many messages criticizing the government and calling into question the efficacy of the Chinese-made vaccines, accusing the government of using them as a political trick.

“He posted a lot of messages related to inciting people not to go to the injection of Chinese vaccines,” You Dy said, declining to comment further.

Piseth’s Facebook’s account has since been deleted from social media, but screenshots of his social media posts have been published by local online outlet Koh Santepheap Daily. “We do not support Cambodian People’s Party rule, step down, we, the next generation do not support you,” read one post, adding “We ask the international community to take action on Prime Minister Hun Sen and cut all aid”.

Him Khortieth, research and advocacy manager at the Cambodian Journalists Alliance Association, expressed concern over the journalist’s arrest.

“We think that for making a mistake or exercising an opinion or writing any texts, as he was a journalist, authorities should educate him and make a correction rather than arresting and imprisoning him,” Khortieth said.⁸



Kao Piseth being questioned at the Battambang provincial military police office. Photo posted on the National Military Police’s Facebook page.

⁸ Khuon Narim, “Online journalist charged with the incitement after criticizing Chinese vaccines,” CamboJA News, 16 July 2021, <https://bit.ly/3CL9Hu8>

IV. Conclusion and Recommendations

Rather than taking action to protect journalists and defend press freedom in 2021, the government moved in the opposite direction.

A number of officials who threatened or arrested journalists pointed to a new memo from the Ministry of Information, which on July 2 issued a public letter saying provincial authorities have the right to prosecute journalists if they interfere with official work.

After this instruction letter from the Ministry of Information, CamboJA observed a deeply worrying trend of harassment and legal threats against journalists for doing their jobs. Intentionally or not, the ministry has created an arbitrary guideline that is being used to remove journalists from situations that local authorities and private developers want to hide from the public.

Furthermore, justifiable COVID-19 public health measures were sometimes used as a pretext to restrict or punish journalists for doing their jobs, or to criminalize political speech.

Phnom Penh, which has the highest concentration of journalists and media outlets, predictably saw the highest number of reports of harassment, however the fact that incidents were reported in 17 provinces highlights a nationwide problem, and what is likely the tip of the iceberg in terms of intimidation of journalists in more rural areas.

It is particularly worrying that common types of harassment against journalists were violence and imprisonment, extreme forms of harassment that could be avoided with warnings, mediation or the proper application of the Press Law when appropriate.

Yet in most cases documented by CamboJA, officials and businessmen were quite simply seeking to suppress public information and prevent journalists from publishing facts and legally protected opinions.

The vast majority of journalists who were harassed worked for online media outlets, reflecting the rapid rise in digital journalism — which should continue to be a focus for media organizations and other stakeholders providing legal training and support.

KEY RECOMMENDATIONS:

The Judiciary

- Drop all criminal charges against journalists including Yuon Chhiv and Kao Piseth.
- Adhere to international human rights standards and legal principles by applying Cambodia's Press Law on cases related to the non-criminal work of journalists.
- Conduct a thorough investigation into attacks on journalists and bring offenders to justice.

Government and Ministry of Information

- Ensure that all journalists can exercise their rights to report freely and without fear.
- Promote use of the press law, rather than criminal code, in cases related to journalism.
- Engage all stakeholders, especially journalists, in the process of drafting all media-related laws, such as amendments to the Press Law, and other laws covering cybercrime, access to information, and the National Internet Gateway (NIG).
- The Ministry of Information in particular must play a more active role in supporting journalists facing harassment and promote the use of the Press Law in media-related legal disputes.
- Retract or clarify guidelines that are emboldening local authorities to arbitrarily restrict and sanction journalists covering public activities.

Journalists, Media Organizations and Donors

- With a focus on the growing group of online media reporters, provide trainings and opportunities related to fundamental principles of journalism, code of ethics for journalists and related laws and freedoms.
- Provide training for journalists on physical safety and digital security.
- Provide psychological support to journalists.
- Provide legal support to journalists when they have been accused and charged.

V. Annex

1. December 27, 2021: Phnom Penh

Meng Sophea (called Tomato) who is a UMA journalist, radio talk show, and news reporter in Thai language was photographed by an anonymous person while covering the NagaWorld labor strike. UMA released a statement expressing concern and fear for the security and safety of journalists when they report in the strike area.⁹

2. December 21, 2021: Phnom Penh

Un Chantha, 39, the publisher of Reaksmey Krong Takhmao News-Page; and Chhom Dany, 32, the publisher of Kang Meas News-Page, were charged with “blackmail” under Articles 372 and 373 of the Criminal Code. If convicted, they are faced from two to five years in prison each. Investigating Judge Seng Leang said they were arrested on December 21 after they attempted to extort the \$600 from Neak Kuthea, the owner of a coffee shop named “V88” located in Daun Penh district’s Srah Chak commune.¹⁰

3. December 18, 2021: Phnom Penh

Gerald Flynn, a freelance journalist and a board member of Overseas Press Club of Cambodia (OPCC), was harassed online in messages spread by anonymous social media accounts and government-aligned media.

On December 18, 2021, Flynn posted on his twister account “anonymous social media accounts incorrectly said I am a Licado staff and listed me as one of the foreign agents supposedly training union Leader Chhin Sithar- who I’ve never met to strike”.¹¹

4. December 18, 2021: Banteay Meanchey

Chhum Thou, 57, reporter of Khmer Students News TV online, was arrested in Bantay Meanchey province for illegally encroaching on more than 400 hectares of flooded forest in Preah Netr Preah district’s Phnom Liep commune.

He was attempting to cover allegations of occupation, encroachment, and selling state-flooded forest land.¹²

5. Nov 30, 2021: Siem Reap

Phlong Reth, 41, publisher of Kampuchea Sovannaphum newspaper, who lives in Siem Reap, was summoned by the Siem Reap Provincial Prosecutor’s Office on November 30, 2021, to respond to a complaint of public defamation and incitement to discrimination (via Facebook). Reth told CamboJA that he would meet with the provincial prosecutor’s office as requested, but said until now he does not know who the plaintiff is. He suspected it was related to a Facebook post earlier in November, but declined to say more about it.¹³

⁹ Tomato, “Tamato Freelancer,” January 4, 2022, <https://bit.ly/36sEJe4>

¹⁰ Buth Reaksmey Kongkea / Khmer Times, “Two journalists charged over extortion bid,” December 24, 2021, <https://bit.ly/3w6ONVb>

¹¹ OPC, “OPCC Stands with Board Member Gerald Flynn,” December 22, 2021, <https://bit.ly/3iflzev>

¹² Tith Kognov / Khmer Times, “Duo arrest over B Meanchy land grab,” December 22, 2021, <https://bit.ly/37DMfUp>

¹³ Reth Phlong/Kampuchea Sovanphum News, “Publisher of Kampuchea Sovanphum news summoned by court,” November 27, 2021, <https://bit.ly/3CNhrMd>

6. November 8, 2021: Kampot

Say Sopher and Eung Thoeun of LSN TV News were arrested by Kampot provincial authorities on 8 November 2021 while they were interviewing people in front of the provincial hall and broadcasting live on Facebook. Both journalists were detained for questioning. Luos Seng, LSN TV News publisher, asked CamboJA for legal support. CamboJA referred the case to CCIM, which provided a lawyer to support both. The journalists were released on 11 November 2021.¹⁴

7. October 16, 2021: Takeo

According to the Cambodia Dechho for Peach media outlet, there was an attempted murder of four journalists in Bati district, Takeo province. The perpetrator is a sibling of tycoon Kong Vanet.¹⁵

Kong Toch, one of the reporters, said that while they attempted to take photos at a cockfighting ring, four men armed with wood sticks attacked them. All four journalists were injured but safely escaped.

8. September 27, 2021: Koh Kong

Yuon Chhiv, 51, an online news publisher, is facing a lawsuit for allegedly broadcasting disinformation related to a land dispute in the Botum Sakor National Park of Koh Kong province. Provincial Deputy Governor Sok Sothy filed the complaint on orders from Defense Minister Tea Banh. Sothy was directly criticized in Chhiv’s comments, made on Facebook through his media outlet Koh Kong Hot News, regarding local authorities clearing crops and wooden houses on disputed land.¹⁶

9. September 15, 2021: Preah Vihear

Try Vicheka, a reporter of Heang Meas TV News, and Try Sophal, a reporter of NICE TV, were summoned in September to testify in four criminal cases after reporting on clearing public state forests located in Kulen district, Preah Vihear province.

Mr. Try Vicheka said the lawsuit came after they refused to accept \$ 4,000 bribe from deputy prosecutor Vuth Savy, which he suspected was meant to keep them quiet.¹⁷

10. September 13, 2021: Kandal

Chray Nim, a land activist, and a citizen journalist, was detained after filming a police station and preparing to interview THE family members of 30 Kandal villagers arrested in a land dispute over Phnom Penh’s new international airport. The airport developers have in recent months become more aggressive about clearing the land of villagers, who are refusing compensation offers to relocate.¹⁸

¹⁴ Kampot Provincial Authority, “Press Release,” November 09, 2021, <https://bit.ly/3JioG1g>

¹⁵ Cambodia Dechho for Peace, “Attempted murder of 4 journalists in Takeo province,” October 17, 2021, <https://bit.ly/3ihf8re>

¹⁶ Khuon Narim/Chea Sokny, “Defense Minister Tea Banh orders lawsuit filed against digital news publisher for alleged fake news,” September 28, 2021, <https://bit.ly/3MSGims>

¹⁷ Mao Sotheany, “Two journalists fear for detention after refusing to take a bribe from the court,” RFA, September 15, 2021, <https://bit.ly/3u8bzJu>

¹⁸ Mech Dara and Michael Dickison/VOD, “Citizen Journalist Detained Filming Police Station Amid Airport Dispute,” September 13, 2021, <https://bit.ly/3qcJFv0>

11. September 07, 2021: Steung Treng

Nine online news journalists, including a deputy-editor-in-chief, were arrested over accusations that they attempted to extort \$4,000 from someone transporting a wood house in Stung Treng province. The journalists were arrested and questioned at the provincial Military Police headquarters before the case was sent to court.

The journalists were: Ith Righty, 47, Bol Thai, 22, and Ly Thea, 41, reporters from PDA HOTNEWS; Nop Bunthim, 42, reporter at BPNEWS; Kong Sothearoeun, 43, deputy in-editor-chief from CCN Daily; Ly Vann, 36, assistant publisher of RMR-NEWS; and Sam Ratha, 31, Chres Sokhon, 41, and Oeun Sokheng, 36, who had no specific media affiliation.¹⁹

12. September 04, 2021: Kandal

Pok Kheuy, an intern at VOD, was harassed by authorities while covering a land dispute between a new airport project and affected villagers in Kandal province. He told CamboJA that he went to cover a press conference held by residents involved in a land dispute over the new Phnom Penh Airport in Kandal Stung district. Upon leaving, he said he was followed by plainclothes police officers who yelled at him to stop, but he did not.²⁰

13. August 29, 2021: Phnom Penh

Sin Lot, 39, who works for Techo Santepheap, and Pann Phalla, 32, who works for Kampuchea Asean TV, were arrested in Phnom Penh on the afternoon of August 29, 2021, by Sen Sok district police in connection with a complaint accusing them of violating a woman's right to privacy.

A police report said the journalists made a live video of the house of the victim, Tim Srey Touch, a 32-year-old Cambodian woman who is a Chinese translator.

However, the two journalists were released on 30th August 2021 after being detained for one night and questioned by police.²¹

14. August 13, 2022: Phnom Penh

An Vicheth, a journalist for CamboJA, and Lors Lib Lib, a reporter for Voice of America, had their identity cards confiscated and photos deleted from their phones and cameras on August 13, 2021. The journalists were covering villagers protesting Meanchey district police, who were demolishing their homes. The authorities threatened both with legal action if they refused to comply, according to sources.²²

¹⁹ Khuon Narim/Chea Sokny, "Nine online journalists arrested over attempted extortion of someone transporting a wood house," September 07, 2021 <https://bit.ly/3KUCEH8>

²⁰ Sorn Sarath, "Journalists covering mega airport project face threat and harassment," CamboJA News, September 06, 2021, <https://bit.ly/3liXLRD>

²¹ CPC News, "Two journalists arrested in connection with a live on a house violated privacy," August 30, 2021, <https://bit.ly/3ljzmeM>

²² CamboJA statement, "CamboJA condemns Meanchey district authorities for violating journalist rights," August 13, 2021, <https://bit.ly/3ua8UP>

15. August 06, 2021: Kampong Speu

Phorn Kakda, a reporter of Pordmean Cheat; Phorn Veasna, a reporter of Banteay Srey; and Vuth, a reporter of Khmer Mchahsrok, said a person attempted to hit them with a car on 6 August 2021 at 12:30 am. The three were reporting live about a truck full of wood at Nop Dy's wood warehouse in Oral district, Kampong Speu province. The journalists submitted a complaint to the Tbong district police on 9 August 2021. On 12 August 2021, both parties agreed to end the case.²³

16. July 14, 2021: Battambang

Kao Piseth, 32, an online news journalist in Battambang province, was arrested on July 14, 2021 and charged with incitement to commit a felony after publicly criticizing the government's use of Chinese-made vaccines to inoculate the population against Covid-19.

Provincial court spokeswoman Chea Chanreaksmey confirmed that Kao Piseth was charged and sent to pre-trial detention. Piseth was arrested on allegations of incitement and obstructing the implementation of Ministry of Health measures.²⁴

17. June 23, 2021: Kandal

Los Seng, news publisher of Los Seng News, said Kandal provincial officials told him to stop reporting and threatened him with legal action for covering land disputes related to Phnom Penh's new international airport in Kandal province.

Seng said he regularly visited the protest site to cover the case, including broadcasting a cursing ceremony on his Online LSN TV24hnews Facebook page. Many of his reports are live broadcasts in which he allows protesters to vent their grievances.²⁵

18. June 20, 2021: Phnom Penh

Leng Van Sothea, publisher of Cam-Hot News, said three journalists who were broadcasting live from a land protest at Phnom Penh's Boeng Tompun lake area were taken to a police station and forced to sign an agreement that they would not make the same mistake again. The journalists were covering a small protest in early June related to a reservoir-building project on land claimed by more than 30 families.²⁶

²³ NCN News Live, "Timber trader tries to hit and kill 3 journalists for filming timber truck," NCN News Live, August 06, 2021

<https://bit.ly/3CVb21x>

²⁴ Khuon Narim, "Online journalists charged with the incitement after criticizing Chinese vaccines," CamboJA News, July 16, 2021, <https://bit.ly/3CL9Hu8>

²⁵ Mech Dara, "Journalist Reporting on New Airport's Land Dispute Faces Pressure," VOD, July 13, 2021, <https://bit.ly/3whAmxl>

²⁶ Mech Dara, "Three Journalists Detained, Educated for Covering Boeng Tompun Dispute," VOD, July 22, 2021, <https://bit.ly/36s1XkA>

19. June 20, 2021: Kandal

BATI TV journalists Chan Rithy, Phorn Tha, Chrong Sokny, Prak Ben and publisher Sou Sreyleap, as well as driver Ouk La, were charged with extortion by the Kandal Provincial Court for allegedly demanding money in return for not publishing stories about illegal cockfighting. The arrests came after receiving a complaint from the coffee shop owner where the fighting takes place, police said.²⁷ One of the journalists, Sou Sreyleap, denied they attempted to extort anyone.

20. June 18, 2021: Phnom Penh

Heng Vichet, videographer of Voice of Democracy (VOD), says he was threatened by a district governor when he went to document Vietnamese people's floating houses and fish farms after they were evacuated by authorities from several locations in Phnom Penh.

He said he was stopped on June 19, 2021 and threatened by the district governor and other authorities, who also took photos of the videographer and his press card and said he would be in trouble if any photos or videos were published.²⁸

21. June 04, 2021: Preah Vihear

The Preah Vihear provincial court on Sunday sent eight small-time journalists from just as many publications into pretrial detention for allegedly taking photos in a private area without permission and extorting a timber warehouse.²⁹ The arrested journalists are:

Kim Hean, 42l Vong Nimol, 41, the publisher of Phnek Reastr News; Chea Samon, 39; Kim Hong, 40; Roeung Chhon, 40, the publisher of Ethypol Preah Atit News; Sam Saroeun, 49, publisher of Sthapana News; Soeung Sophy, 42, editor-in-chief of Khmer Cheayden News; Chhay Leav, 51.

22. May 11, 2021: Kampong Chhnang

Keo Ratana, 36, a journalist and publisher of TN Hot News online, said a body guard physically confronted him and asked police to detain him while covering villagers protesting a decision of the Kampong Chhnang provincial court in favor of a wealthier landholder.³⁰ He said officials did not comply because of the large number of people nearby.

²⁷ Sam Sopich, "Journalists, publisher face five years prison over cockfighting extortion," *CamboJA News*, June 22, 2021, <https://bit.ly/3N2RBsv>

²⁸ *CamboJA*, "Joint Statement: End Threats and Persecution Against Independent Journalists," June 19, 2021, <https://bit.ly/35Milyw>

²⁹ Khy Sovuthy, "Eight local journalists charged with extortion in timber warehouse case," *CamboJA News*, 07 June, 2021, <https://bit.ly/36vp8uE>

³⁰ Khuon Narim, "Two journalists report harassment by authorities during coverage of separate land disputes," *CamboJA News*, May 13, 2021, <https://bit.ly/3tqUr2l>

23. May 11, 2021, Pursat

Khut Sokun, 33, a reporter for VOD, said an armed man in a military uniform approached him and seized his smart phone, recorder, and notebook while he was covering a land dispute in Krakor district, Pursat province. Authorities had come to tell villagers mostly from nearby Kampong Chhnang province to stop cultivating paddy rice in a location deemed state land, which authorities are measuring to reserve as a social land concession.³¹

Sokun said authorities also tore up his notes and deleted audio from his recorder, even after he said he is a reporter at VOD reporting on the land disputed.³²

24. April 25, 2021: Kandal

Voeun Sophornra, male, 36, a journalist of UMTV Online, was arrested due to violating the inter-province travel ban imposed amid the COVID-19 pandemic. This incident happened on the afternoon of April 23, 2021, at the border checkpoint of Kandal and Kampong Cham provinces.³³ The travel ban is supposed to make exceptions for appropriate work-related missions.

25. April 10, 2021: Phnom Penh

K01 online news (Kheun Sola, owner and publisher of the outlet) was shut down after the issuance of a letter from Ministry of Information dated 10th April 2021 revoking its license for broadcasting news that incites social unrest.³⁴ The ministry's letter did not provide additional information.

26. March 31, 2021: Kampong Cham

Around noon on 31 March 2021, Noun Sareoun, a journalist from AN Hot News — along with two other from online media outlets Angkor Borei News, and KMM Hot News — attempted to take photos at a cockfighting area in Cheung Prey District, Kampong Cham province. They were attacked by a group of six people armed with wood sticks, and Noun Sareoun's car was destroyed.³⁵

27. March 18, 2021: Phnom Penh

The Information Ministry revoked the news licenses of Pheng Vannak for publishing a video showing severe corporal punishment at a Siem Reap pagoda. The video began circulating on social media on March 14, showing the chief monk of Siem Reap's Reach Bo pagoda beating three younger monks with a stick. The incident led to an investigation by local authorities, but Pheng Vannak's license was taken for 'affecting Buddhism'.³⁶

³¹ *CamboJA* Phone interview with Mr. Sokun reporter at VoD 11 May 2021

³² Khan Leakhena, "A Reporter of VoD threatened by police office," *VOD*, May 11, 2021, <https://bit.ly/3tpiZc8>

³³ *Khmer Times*, "No mercy for travel ban violators – three people arrested, including a journalist for violating travel ban," April 25, 2021, <https://bit.ly/3Ngg9hP>

³⁴ Ministry of Information, 10th April 2021, <https://bit.ly/3Nzj947>

³⁵ *KNN News*, <https://bit.ly/36ubjwm>

³⁶ Sun Narin, "Online Publication Shut Down for Criticizing Monk Beatings in Siem Reap," *VOA*, March 19, 2021, <https://bit.ly/34W6YS8>

28. March 14, 2021: Phnom Penh

The Information Ministry revoked licenses for Live-Daily, run by Mr. Tep Virak, over accusations that it spread false information and endangered police security, which could jeopardize nation security and tarnish the royal prestige of the government.³⁷ The ministry's letter did not provide additional information.

29. March 12, 2021: Phnom Penh

The Information Ministry revoked licenses for San Prum news and the Cambodia Facebook Journalist Association — both run by ministry advisor Prum San — on March 12 for posting an inaccurate photograph with an article. Acting head of state Say Chhum also issued a Royal Decree revoking his advisor position.

The post claimed to be about the first COVID death in Cambodia, but the accompanying photograph showed a golf kit wrapped in white, loosely resembling a human form.

He said his wife, Sy Sopheak, ran San Prum News and he was only an advisor to the social media news outlet. He said the closure of San Prum News would affect around 60 staffers and apologized for his mistake.³⁸

30. February 24, 2021: Siem Reap

The editor of the Chinese-language news website Angkor Today was deported from Cambodia after publishing a story claiming that coronavirus vaccines were being sold improperly out of Calmette hospital, officials said.

The Health Ministry – which took control of half of 600,000 doses of the Sinopharm vaccine donated by China – rebuked the website's claims that vaccines were being bootlegged out of Calmette hospital, where the first round of injections began in February.

Health Ministry spokeswoman Or Vandine called the story “fake news” and demanded Angkor Today issue a correction.³⁹

31. February 08, 2021: Kandal

Sorn Sarath, a reporter of CamboJA, and Mr. Pring Samrang, a photographer of CamboJA, were stopped by the community chief saying they needed to ask permission before entering the community and talking to villagers. Five minutes later, the vice-chief of the village and five village security guards came to the scene and asked them to leave, which they did.⁴⁰

³⁷ March 14, 2021 Letter from Information Ministry revoked news license of Live-daily,

³⁸ Khy Sovuthy, “Information Ministry revoked news license of San Prum online media outlets,” CamboJA News, March 15, 2021, <https://bit.ly/37MPitm>

³⁹ Khy Sovuthy, “Chinese-language editor to be deported over “fake news” vaccine sales,” CamboJA News, February 25, 2021, <https://bit.ly/37FNVfT>

⁴⁰ Sorn Sarath, “Nine years after violent eviction, former Borei Keila residents still struggle,” CamboJA News, 12 February, 2021, <https://bit.ly/3Ljt4qZ>

32. January 21, 2021: Oddor Meanchey

A senior military police official filed a defamation lawsuit against Hean Por, publisher of SRN News, due to his reporting on land dispute in Oddor Meanchey. On Feb 15, 2021, he came to CamboJA office to seek legal support and was referred to the Cambodian Center for Human Rights (CCHR).

On 7 March 2021, he wrote a public letter of apology to General Ouk Kimly, saying the public was confused by his reporting.⁴¹

33. January 19, 2021: Phnom Penh

Phat Horn, editor of KH Plus News, and Yim Sarem, the publisher, were summoned for questioning by Kandal provincial police after broadcasting a live video on the activities of the road traffic police to tighten the enforcement of traffic laws and by using inappropriate behavior on the authorities who are performing their duties.⁴²

⁴¹ Post on Facebook of SRN news “letter of apologized”, March 07, 2021, <https://bit.ly/3L5zi3r>

⁴² January 20, 2021, General Commissariat of National Police, <https://bit.ly/3itDazj>



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