

JOINT STATEMENT:

Civil Society Rejects Government Attack on Freedom of Expression

June 8, 2018 - We, the undersigned civil society groups, express grave concern regarding the latest government decision to heighten state surveillance, censorship and criminalisation of online expression in Cambodia, in contravention of constitutional and international human rights guarantees. On 28 May 2018, the Ministry of Interior, Ministry of Information and Ministry of Posts and Telecommunications issued an inter-ministerial prakas on website and social media control which became public this week.

This ministerial order threatens the privacy rights and freedom of expression of every single internet and social media user in Cambodia and further diminishes the limited space left for public debate following months of attacks on media freedoms.

The prakas orders the Ministry of Posts and Telecommunications to “block or close” websites and social media pages containing content “considered as incitement, breaking solidarity, discrimination and willfully creating turmoil leading to undermining national security, public interest and social order”. These catch-all definitions of “illegal” content are a clear case of government over-reach and censorship – far beyond what can be justified as necessary to maintain public order and national security. The ministries were also ordered to form a special unit to effectively “police” social media.

The order can be used to stifle all forms of public discussion in Cambodia. Virtually any opinion which authorities consider unacceptable could fall under its vague, sweeping criteria such as “breaking solidarity” or “undermining social order”. It also instructs ministries to “obstruct and prevent” the publication and sharing of content, including “written messages, audio, photos, video” which could “undermine ... relations with other countries, national economy ... and national culture and tradition.” The blocking of content and closure of social media accounts seems to be at the discretion of the ministries, with no judicial oversight or right to appeal, giving authorities the power to silence individuals at the click of a button.

The prakas could also be employed to silence and punish anyone posting or sharing online content criticising the government or, for example, the social and environmental impact of infrastructure, extractive industry, construction and other commercial projects. The authorities have already made it clear they can and will punish individuals for public expression; however, these ministerial orders go much further and could also include private online communication.

The order effectively puts Cambodia’s entire internet-using population under surveillance and co-opts the private sector to do so. All Internet Service Providers are now obliged to “install software programs and equip internet surveillance tools to easily filter and block any social media accounts or pages” deemed illegal. Internet users could be eavesdropped on at the government’s behest by the very services they are paying for. Following the enactment of the 2015 Law on Telecommunications, rights groups warned that the new law could form the basis for suppression of online expression. This order empowers the authorities to put that into practice.

This ministerial order represents a serious threat to the Cambodian people’s constitutional rights to privacy and freedom of expression. Article 41 of the Constitution of Cambodia states that “Khmer citizens shall have the freedom to express their personal opinions, the freedom of press, of publication and of assembly.” This constitutional freedom can be limited by public order and national security considerations, but only in narrow circumstances and when it is truly necessary and proportionate. This order represents a severely disproportionate restriction on the Cambodian public’s human rights. Therefore, we, the undersigned, call for its immediate revocation.

This statement is endorsed by:

1. 24 Family Community (Preah Sihanouk)
2. 92 Community (Phnom Penh)
3. Action Pour Les Enfants (APLE)
4. Activity for Environment Community (AEC)
5. Alliance for Conflict Transformation Organization (ACT)
6. Andoung Community (Preah Sihanouk)
7. Andoung Kantuot Community (Battambang)
8. Andong Trabek Land Community (Svay Rieng)
9. Anlong Run Community (Battambang)
10. Association of Domestic Workers (ADW)
11. Bat Khteah community (Preah Sihanouk)
12. Boeung Chhouk Community (Phnom Penh)
13. Boeung Pram Land Community (Battambang)
14. Borei Keila Community (Phnom Penh)
15. Bos Sa Am (Battambang)
16. Bos Snao Land Community (Tboung Khmum)
17. Building and Wood Workers Trade Union Federation of Cambodia (BWTUC)
18. CamASEAN Youth's Future (CamASEAN)
19. Cambodian Center for Human Rights (CCHR)
20. Cambodia Center for the protection of children's rights (CCPCR)
21. Cambodian Food and Service Workers' Federation (CFSWF)
22. Cambodian Human Rights and Development Association (ADHOC)
23. Cambodian Independent Civil-Servants Association (CICA)
24. Cambodian Independent Teachers Association (CITA)
25. Cambodian Informal Economic Workers Association (CIWA)
26. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
27. Cambodian Youth Network (CYN)
28. Center for Alliance of Labor and Human Rights (CENTRAL)
29. Capacity Community Development Organization (CCD)
30. Chikor Krom Community (Koh Kong)
31. Chikor Leu Community (Koh Kong)
32. Children and Woman Development Center in Cambodia (CWCCD)
33. Chi Tron Community (Kampong Cham)
34. C I 5 Community (Preah Sihanouk)
35. Chek Meas Land Community (Svay Rieng)
36. Coalition of Cambodia Farmer Community (CCFC)
37. Community Peace-Building Network (CPN)
38. Community Voice Development Organization (BCV)
39. Confederation of Cambodia worker-movement (CCW)
40. Cooperation Committee for Cambodia (CCC)
41. Equitable Cambodia (EC)
42. Forestry And Natural Resource Community (Pursat)
43. Forestry Community (Kampot)
44. Gender and Development for Cambodia (GADC)
45. Horng Samnam Community (Kampong Speu)
46. Independent Democracy of Informal Economy Association (IDEA)
47. Indigenous Youth at Brome Commune, Preah Vihear Province
48. Indradevi Association
49. Kampong Samaki Community (Kampot)
50. Kean Teuk Land Community (Koh Kong)
51. Khmum Srakor Thlok Russey Land Community (Kampong Thom)
52. Koh Ksach Land Community (Koh Kong)
53. Koh Sralao Fishery Community (Koh Kong)
54. Land Community, I Village, Preah Sihanouk Province
55. Lor Peang Land Community (Kampong Chhnang)
56. Miro Indigenous Right Organization (MIRO)

57. Network for Prey Land protection, Mean Rith commune (Kampong Thom)
58. Neutral and Impartial Committee for the Free and Fair Election in Cambodia (NICFEC)
59. Ou Ampil Land Community (Banteay Meanchey)
60. Ou Chheu Teal Community (Preah Sihanouk)
61. Ou Khsach Community (Preah Sihanouk)
62. Ou Tracheak Chet community (Preah Sihanouk)
63. Ou Vor Preng Community (Battambang)
64. Paris Peace Accords Khmer Youth (PPA)
65. Phnom Bat Community
66. Phnom Kdeb Thmor Land Community (Banteay Meanchey)
67. Phnom Krom Community (Siem Reap)
68. Phnom Sleuk Community (Battambang)
69. Phnom Thnort Community (Kampot)
70. Phnom Torteong Community(Kampot)
71. Phum 22 Community (Phnom Penh)
72. Phum 23 Community (Phnom Penh)
73. Phum Ou Svay Land Community (Banteay Meanchey)
74. Phum Prasat Rang Land Community (Banteay Meanchey)
75. Phum Sela Khmer Land Community (Banteay Meanchey)
76. Ponleu Ney Kdey Sangkhum
77. Ponlok Khmer
78. Poy Japan Land Community (Koh Kong)
79. Prasak Community (Battambang)
80. Prek Ksach Land Community (Koh Kong)
81. Prek Takung Community (Phnom Penh)
82. Prek Tanou Community (Phnom Penh)
83. Prek Ta Yong Forestry Community (Kampong Thom)
84. Prek Trae Community (Preah Sihanouk)
85. Prey Chher Kbal Kla Community (Kampong Thom)
86. Prey Chher Pich Sangva Laor Chhert Community (Kampong Chhnang)
87. Prey Lang Community
88. Prey Peay Fishery Community (Kampot)
89. Phsar Kandal Village Land Community (Banteay Meanchey)
90. Railway Community (Phnom Penh)
91. Raksmeay Samaki Community (Kampong Speu)
92. Rum Cheik Land Community (Siem Reap)
93. Run Klen Tea Village land Community (Banteay Meanchey)
94. Samaki Phnom Chorm Mlou community (Kampot)
95. Samaki Romeas Heok Land Community (Svay Rieng)
96. Sangke Satorb Community (Kampong Speu)
97. Sahmakum Teang Tnaut (STT)
98. Say Samorn Land Community (Banteay Meanchey)
99. Sdey Krom Rohal Soung Fishery Community (Battambang)
100. Skun Land community (Siem Reap)
101. Somros Koh Sdach Fishery Community (Koh Kong)
102. Svay Village Community (Banteay Meanchey)
103. Sre Prang Community (Kampong Cham)
104. Steung Bort village land Community (Banteay Meanchey)
105. Steung Ksach Sor Forestry Community (Kampong Chhnang)
106. Tani Community (Siem Reap)
107. Tanuon Land Community (Koh Kong)
108. Ta Trai village land (Banteay Meanchey)
109. Thnal Bort village Land (Banteay Meanchey)
110. The Cambodian NGO Committee on CEDAW (NGO-CEDAW)
111. Toul Rada Community (Phnom Penh)
112. Toul Sangke B Community (Phnom Penh)
113. Toul Samrong Community (Kampong Chhnang)

114. Trapaing Sangke Community (Kampot)
115. Tumnop II Community (Phnom Penh)
116. Tunlong Community (Kampong Cham)