



សមាគមសម្ព័ន្ធអ្នកសារព័ត៌មានកម្ពុជា
Cambodian Journalists Alliance Association

Quarterly Monitoring Report Journalism Situation in Cambodia



Supported by



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This quarterly report from CamboJA is part of our ongoing efforts to monitor and advocate for press freedom in Cambodia. It includes brief summaries of incidents related to press freedom and freedom of expression of journalists from July-September 2021.

One of the most significant developments we have monitored this quarter is a new Ministry of Information memo that permits authorities to prosecute journalists for interfering with their work. The memo has been used by local officials in various locations to justify the removal of journalists attempting to report on land disputes or evictions, along with threats of legal action if journalists fail to leave and in some cases criminal prosecution.

Also in this report, we have compiled other updates on the legal and regulatory framework relevant to press freedom, Covid-19 infections among journalists, fake news, online surveillance and self censorship. CamboJA observed 9 incidents related to the violation of journalists' rights to free expression during this quarter. Most of the incidents were harassment of journalists covering land disputes, including the controversial case at the new airport development project in Kandal province, in which eight journalists were harassed and one journalist was sentenced to prison. CamboJA took immediate and ongoing advocacy actions demanding that authorities respect press freedom and seek non-criminal measures to correct allegedly false reporting.

Together for Free Press

Incidents reported in this quarter

Incidents

- 1 Digital news publisher convicted, sentenced to prison for Koh Kong dispute
- 2 Two journalists concerned about detention after refusing to accept bribes from court officials
- 3 Citizen journalist detained filming police station amid airport dispute
- 4 Nine online journalists arrested over attempted extortion of someone transporting a wood house
- 5 Journalists covering mega airport project face threat and harassment
- 6 Journalists harassed on the job as authorities clear homes for development at Boeng Tompun
- 7 Three journalists detained, educated for covering Boeng Tompun dispute
- 8 Jailed journalist slapped with incitement, Covid-19 law charges
- 9 Journalist reporting on new airport's land dispute faces pressure

Updates

- I** Ministry of Information empowers local authorities to take legal action against journalists
- II** Ministry of Information establishes a monitoring committee for journalism ethics
- III** Journalists still in prison and pre-trial detention
- IV** Continued restriction on free flow of information
- V** Self-censorship
- VI** Government ramps up monitoring of 'fake news'
- VII** Ministry of Information: Access to information law set to be approved this year
- VIII** Pushing for data protection
- IX** Government promotes Chinese media startup
- X** Three broadcasting giants team up to form television alliance

Safety & Security of journalists

An environment free from physical and mental hazards is essential for press freedom. Also, people must enjoy freedom of expression through media or any other means without repercussions. In this quarter, we observed incidents of these fundamental freedoms being threatened by local authorities and the judiciary.

Table 1: Types of Harassment

Types of harassment	No. of incident reported	No. of journalists
Legal action	2	3
Violence/threats	2	3
Detained for questioning	2	4
Imprisonment	3	11
TOTAL	9	21

Criminalizing the coverage of land disputes

At least 8 journalists were harassed and threatened, and one journalist convicted for covering land disputes — officials pointed to a new Ministry of Information memo to justify their actions.

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.



ក្រសួងព័ត៌មាន
លេខ ១៩៥៧ ព.ម

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

ថ្ងៃពុធ ៧ រោច ខែឧសភា ឆ្នាំឆ្លូវ ត្រីស័ក ព.ស. ២៥៦៥
រាជធានីភ្នំពេញ ថ្ងៃទី ១៧ ខែ កក្កដា ឆ្នាំ ២០២១

ជម្រាបជូន
ឯកឧត្តម អភិបាលនៃគណៈអភិបាលខេត្តកណ្តាល និង
អាជ្ញាធរមានសមត្ថកិច្ចក្របខ័ណ្ឌជាប់ជាក់

កម្មវត្ថុ៖ ករណីស្នើសុំគោលការណ៍ចាត់វិធានការតាមផ្លូវច្បាប់លើអ្នកសារព័ត៌មានគ្មានវិជ្ជាជីវៈផ្សព្វផ្សាយព័ត៌មានមិនពិត ធ្វើឱ្យប៉ះពាល់ដល់ការអនុវត្តការងារតាមផ្លូវច្បាប់របស់អាជ្ញាធរមានសមត្ថកិច្ច។
យោង៖ លិខិតលេខ ១០២ រ.ប.ក ចុះថ្ងៃទី ២២ ខែមិថុនា ឆ្នាំ ២០២១ របស់រដ្ឋបាលខេត្តកណ្តាល។
តបតាមកម្មវត្ថុ និងយោងខាងលើ ខ្ញុំ សូមជម្រាបជូន ឯកឧត្តមអភិបាល នៃគណៈអភិបាលខេត្តកណ្តាល និងអាជ្ញាធរមានសមត្ថកិច្ចក្របខ័ណ្ឌជាប់ជាក់ថា តាមស្មារតីរដ្ឋធម្មនុញ្ញនៃព្រះរាជាណាចក្រកម្ពុជា និងច្បាប់ស្តីពីរបបសារព័ត៌មាន បានធានាគាំពារនូវសិទ្ធិ សេរីភាពខាងការបញ្ចេញមតិ និងសេរីភាពខាងសារព័ត៌មាននៅក្នុងក្របខណ្ឌច្បាប់នៃព្រះរាជាណាចក្រកម្ពុជា។ ក្នុងន័យនេះ អ្នកសារព័ត៌មានដែលកំពុងបំពេញភារកិច្ចលើវិស័យសារព័ត៌មាននៅក្នុងព្រះរាជាណាចក្រកម្ពុជា មានសិទ្ធិ សេរីភាពក្នុងការចុះយកព័ត៌មាន ការស្នើសុំព័ត៌មានពីស្ថាប័នសាធារណៈ និងផ្សព្វផ្សាយព័ត៌មានជូនសាធារណជនដោយផ្អែកលើគោលការណ៍ច្បាប់ ក្រមសីលធម៌ វិជ្ជាជីវៈ និងការទទួលខុសត្រូវក្នុងការបំពេញភារកិច្ចរបស់ខ្លួន។ ផ្អែកលើមូលដ្ឋានគតិយុត្ត អ្នកសារព័ត៌មានពុំមានសិទ្ធិចូលទៅក្នុងតំបន់ហាមឃាត់ដោយអាជ្ញាធរមានសមត្ថកិច្ច ដែលធ្វើឱ្យរំខានប៉ះពាល់ដល់ការអនុវត្តការងារតាមផ្លូវច្បាប់ ឬបង្កគ្រោះថ្នាក់ដល់កិច្ចប្រតិបត្តិការរបស់អាជ្ញាធរមានសមត្ថកិច្ច ឬការផ្សព្វផ្សាយព័ត៌មានមិនពិត ញុះញង់ឱ្យប្រឆាំងនឹងការអនុវត្តការងាររបស់អាជ្ញាធរសាធារណៈ ដែលធ្វើឱ្យប៉ះពាល់ដល់សន្តិសុខ សណ្តាប់ធ្នាប់សង្គម និងធ្វើឱ្យមានការរាជការកាន់ប្រឡំ លើការអនុវត្តការងារតាមផ្លូវច្បាប់របស់អាជ្ញាធរមានសមត្ថកិច្ចនោះឡើយ។

ប្រសិនបើអ្នកសារព័ត៌មានធ្វើសកម្មភាពដោយគ្មានវិជ្ជាជីវៈល្មើសច្បាប់ ដែលធ្វើឱ្យរំខានការអនុវត្តការងារតាមផ្លូវច្បាប់ ឬបង្កគ្រោះថ្នាក់ដល់កិច្ចប្រតិបត្តិការរបស់អាជ្ញាធរមានសមត្ថកិច្ច ឬផ្សព្វផ្សាយព័ត៌មានមិនពិត ញុះញង់ឱ្យប្រឆាំងនឹងការអនុវត្តការងារតាមផ្លូវច្បាប់របស់អាជ្ញាធរមានសមត្ថកិច្ច ឬធ្វើឱ្យប៉ះពាល់ដល់ផលប្រយោជន៍បុគ្គលណាម្នាក់ បុគ្គល ឬស្ថាប័ននោះ អាចចាត់វិធានការតាមនីតិវិធីច្បាប់ដោយពុំចាំបាច់ស្នើសុំគោលការណ៍ចាត់វិធានការពីក្រសួងព័ត៌មានឡើយ។
ដូចបានជម្រាបជូនខាងលើ សូម ឯកឧត្តមអភិបាលនៃគណៈអភិបាលខេត្ត និងអាជ្ញាធរមានសមត្ថកិច្ចក្របខ័ណ្ឌជាប់ជាក់អនុវត្តតាមការគូរ។

- ចម្លងជូន៖**
- ទីស្តីការគណៈរដ្ឋមន្ត្រី
 - ក្រសួងមហាផ្ទៃ
 - អគ្គនាយកដ្ឋានជំនាញចំណុះក្រសួងព័ត៌មាន
 - រដ្ឋបាលរាជធានី-ខេត្ត
 - មន្ទីរព័ត៌មានរាជធានី-ខេត្ត
 - ដើម្បីជ្រាប
 - ឯកសារ កាលប្បវត្តិ



អ៊ុក-ប្រាថ្នា

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.

On 13 July 2021, news publisher Luos Seng, of Luos Seng News, was covering land disputes related to Phnom Penh's new international airport in Kandal province, when he was told to leave and informed that a case against him was headed to court.

On 22 July 2021, three journalists from Cam-Hot News were live broadcasting from a land protest at Phnom Penh's Boeng Tompun lake area when they were detained and questioned from 9 a.m. to 1 p.m. and made to sign an agreement that they would not make the same mistake again.

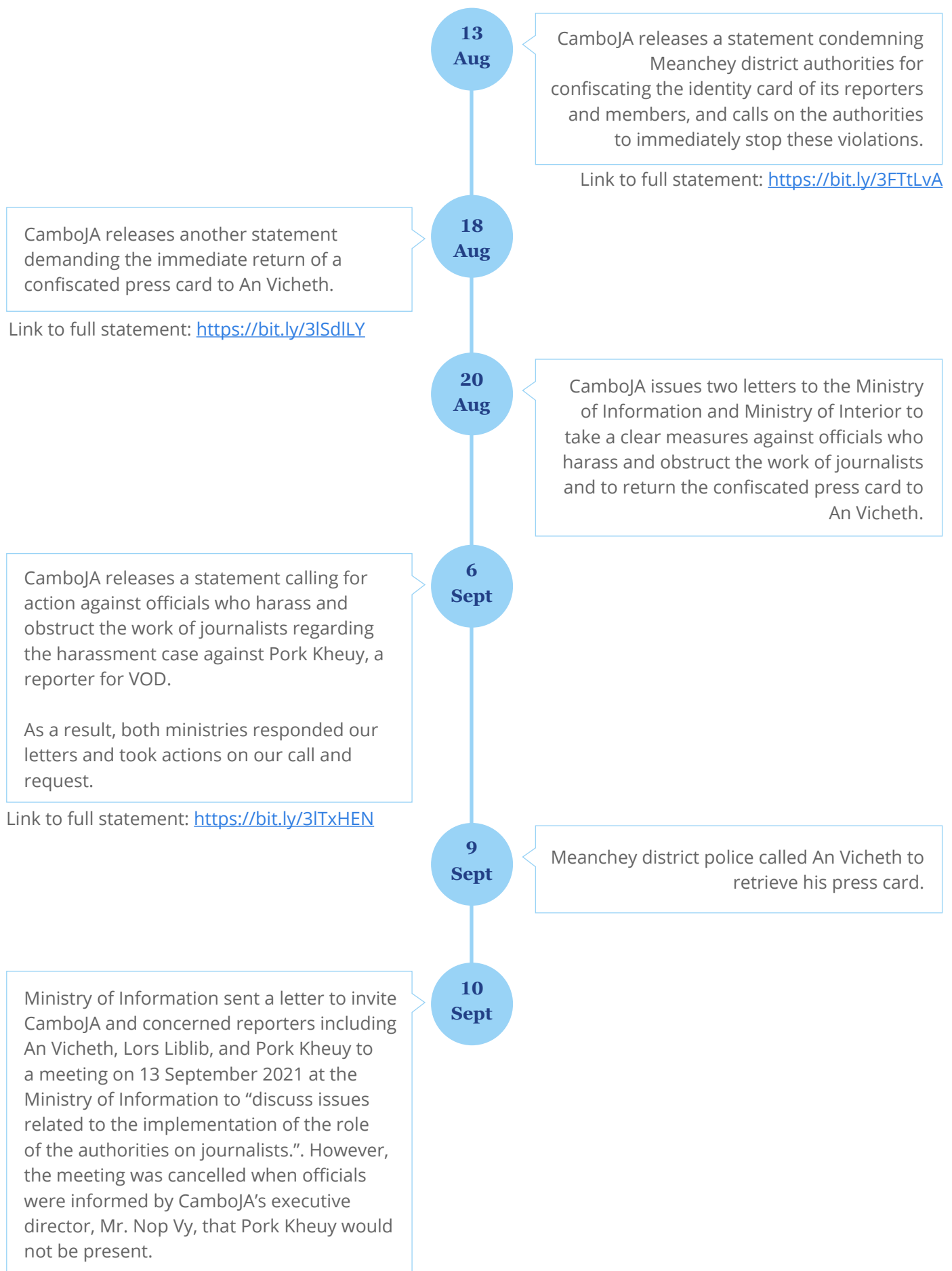
On 13 August 2021, two journalists were stopped and harassed by Phnom Penh police and security agents while covering a land dispute between authorities and residents along Boeng Tompun lake. Police confiscated their smartphones, ordered them to delete images and threatened arrest.

On 4 September 2021, a reporter for Voice of Democracy said he was harassed by authorities on Saturday while covering a land dispute between a new airport project and affected villagers in Kandal Stung district.

On 13 September 2021, a citizen journalist was detained and later released after filming a police station and preparing to interview family members of villagers arrested in a land dispute over Phnom Penh's new international airport.

On 30 September 2021, An online news publisher was convicted of felony incitement and sentenced to one year in prison and fined about \$500 for broadcasting what officials say is disinformation related to a land dispute in Botum Sakor National Park.

Advocacy Actions Taken



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ



ក្រសួងព័ត៌មាន
អគ្គនាយកដ្ឋានព័ត៌មាន និងសាធារណស្តី
General Department of Information and Broadcasting

លេខ : ៧០៣

ជម្រាបជូន

លោក លុយ វ៉ិ នាយកប្រតិបត្តិ សមាគមសម្ព័ន្ធអ្នកសារព័ត៌មានកម្ពុជា

កម្មវត្ថុ៖ អញ្ជើញចូលរួមប្រជុំពិភាក្សាអំពី បញ្ហាពាក់ព័ន្ធនឹងការអនុវត្តតួនាទីរបស់សមត្ថកិច្ចលើអ្នកសារព័ត៌មាន។

យោង៖ - សេចក្តីថ្លែងការណ៍ចុះថ្ងៃទី២៦ ខែកញ្ញា ឆ្នាំ២០២១ របស់សមាគមសម្ព័ន្ធអ្នកសារព័ត៌មានកម្ពុជា។
- លិខិតលេខ CJA21-00008 ចុះថ្ងៃទី២០ ខែសីហា ឆ្នាំ២០២១ របស់សមាគមសម្ព័ន្ធអ្នកសារព័ត៌មានកម្ពុជា (Camboja)។

តាមកម្មវត្ថុ និងយោងខាងលើ ខ្ញុំសូមជម្រាប លោកនាយកប្រតិបត្តិ សមាគមសម្ព័ន្ធអ្នកសារព័ត៌មានកម្ពុជា (Camboja) ជ្រាបថា ថ្មីនេះក្រសួងព័ត៌មានបានតាមដានយ៉ាងយកចិត្តទុកដាក់ទាក់ទងនឹងបញ្ហានានាពាក់ព័ន្ធនឹងការអនុវត្តតួនាទីភារកិច្ចរបស់អាជ្ញាធរមានសមត្ថកិច្ចលើអ្នកសារព័ត៌មាន ដូចជាករណីមានការដកបណ្ណសារព័ត៌មានពីលោក អាន វិចិត្រ នៅខណ្ឌមានជ័យ ករណីមានការគំរាមកំហែងអ្នកសារព័ត៌មានពីរូបនៅខេត្តកណ្តាលជាដើម។ ដើម្បីស្វែងរកដំណោះស្រាយ និងបញ្ជាក់ឱ្យបានច្បាស់ អំពីការអនុវត្តតួនាទីភារកិច្ច និងវិធានរបស់ខ្លួន ខ្ញុំសូមអញ្ជើញលោកនាយក និងអ្នកសារព័ត៌មានពាក់ព័ន្ធនឹងករណីទាំងពីរខាងលើ នៅថ្ងៃទី២៧ ខែកញ្ញា ឆ្នាំ២០២១ វេលាម៉ោង ១៤:០០ នាទី។

អាស្រ័យហេតុនេះ សូមលោកនាយកអញ្ជើញចូលរួមកុំខាន។

សូម លោកនាយកទទួលនូវការរាប់អានពីខ្ញុំ។

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 Building 62, Monivong Blvd., Sangkat Srah Chork, Khan Daun Penh, Phnom Penh. E-mail: info@inb.gov.kh, www.inb.gov.kh

Subsequently, the Ministry of Interior also sent a letter to CamboJA to invite Pork Kheuy and Nop Vy, CamboJA's executive director, to a meeting on 24th September, which is public holiday. In response, CamboJA asked to delay the meeting to 30th September and requested for a possible online meeting instead. The Ministry of Interior rejected the request to meet online but agreed to meet on 30th September.

ក្រសួងមហាផ្ទៃ
អគ្គស្នងការដ្ឋាននគរបាលជាតិ
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លេខ : ០២២ ៧២០ ៧៩០



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

លិខិតអញ្ជើញ

- សូមអញ្ជើញ ៖** ឈ្មោះ ណុប វី ភេទ ប្រុស ជនជាតិ ខ្មែរ សញ្ជាតិ ខ្មែរ លេខទូរស័ព្ទ ០១២ ៥១៩ ២៦១
- មុខមេ ៖** នាយកប្រតិបត្តិ សមាគមសម្ព័ន្ធអ្នកសារព័ត៌មានកម្ពុជា (CAMBOJA)
- ទោសបង្គោល ៖** ទីស្នាក់ការ ខេមបូឌា ផ្ទះលេខ១៩ ផ្លូវ៣៨៨ សង្កាត់ទួលស្វាយព្រៃ ១ ខណ្ឌបឹងកេងកង រាជធានីភ្នំពេញ
- ដើម្បី ៖** ចូលមកបំពេញភារកិច្ចនិងព័ត៌មានដែលបានចុះផ្សាយ នៅក្នុងសេចក្តីថ្លែងការរបស់សមាគមសម្ព័ន្ធអ្នកសារព័ត៌មានកម្ពុជា (CAMBOJA) កាលពីថ្ងៃទី០៦ ខែកញ្ញា ឆ្នាំ២០២១ ដោយមានចំណងជើងថា “ខេមបូឌាស្នើឲ្យមានវិធានការច្បាស់លាស់ចំពោះមន្ត្រីដែលធ្វើទុក្ខបុកម្នេញ និងរារាំងការងាររបស់អ្នកសារព័ត៌មាន”។
- និកន្តែង ៖** នាយកដ្ឋានសន្តិសុខផ្ទៃក្នុង អគ្គស្នងការដ្ឋាននគរបាលជាតិ ក្រសួងមហាផ្ទៃ។
- កាលបរិច្ឆេទ ៖** ថ្ងៃសុក្រ ទី២៤ ខែកញ្ញា ឆ្នាំ២០២១ វេលាម៉ោង១០ និង០០ នាទីព្រឹក។

ថ្ងៃសុក្រ ២៤ ខែកញ្ញា ឆ្នាំ២០២១ ធ្វើនៅ ត្រីវិស័ក ព.ស.២៥៦៥
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ប្រធាននាយកដ្ឋានសន្តិសុខផ្ទៃក្នុង

ឧត្តមសេនីយ៍ពល សម្បត្តិ វិរៈ

លេខទូរស័ព្ទទំនាក់ទំនង៖

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Mr. Nop Vy and Mr. Chhorn Chansy, founding member and Editor-in-Chief of CamboJA, joined that meeting on 30th September, which took place at the National Security Department (ISD) of the General Department of National Police. Three representatives from ISD who participated are: Deputy Department Director But Phin; Deputy of Internal Security Office Reoung Rith; and Chea Chamreoun, whose position could not be confirmed.

During the meeting Vy and Chansy were asked many questions about the statement and issues reported by Pork Kheuy. Vy answered all questions and repeated the request of Mr. Kheuy, who wanted to provide clarification through an online meeting because he feels threatened. But again, they rejected the request and said without Kheuy being present, it means he escaping his responsibility to confirm he is a victim of harassment. The meeting ended at 12:00 p.m. Police officials asked Vy to contact Kheuy again or provide Kheuy's contacts to them then they can work directly with him. Vy declined to give Kheuy's contact information and told them that he would inform CCIM, Kheuy's employer, about the request.

COVID-19 & Journalists

At least 36 journalists and media workers (4 female) were infected with COVID-19 from January through September 2021, according to CamboJA's record. One of them passed away. Source: <https://bit.ly/3DHDCm9>

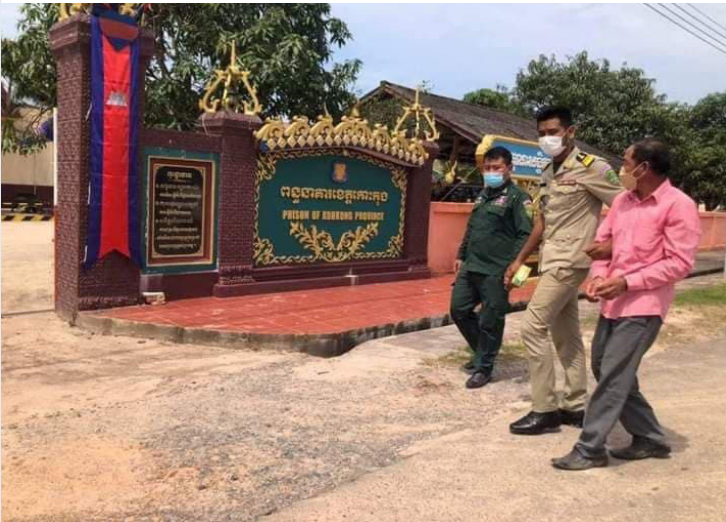
CamboJA has also noted that press freedom online has been curtailed amid the pandemic, as evidenced by the sharp increase in the number of 'fake news' accusations, media licenses revoked, threats and arrests that took place this year related to COVID-19.

From January to April, 2021, the Information Ministry revoked at least 7 media licenses including Angkor Today, Live-Daily news site, San Prum news site, Phengvannak news site, Stoengchralpost news site, Tecchor Youth News site, and K01 TV online — six of which 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.

Moreover, during this quarter, one journalist was arrested and charged with incitement and violations of the Covid-19 Law.

Summaries of Incidents of Harassment Against Journalists

1. Digital news publisher convicted, imprisoned over Koh Kong dispute



Digital news publisher Yuon Chhiv was sent to prison on September 30, 2021. Photo: Koh Kong Provincial Police

An online news publisher was convicted Thursday of felony incitement and sentenced to one year in prison for broadcasting what officials say is disinformation related to a land dispute in Botum Sakor National Park.

The Koh Kong provincial court passed swift judgment against digital journalist Yuon Chhiv, who was arrested Wednesday following a complaint from provincial deputy Governor Sok Sothy and the orders of Defense Minister Tea Banh. Chhiv had posted comments on Facebook through his

media outlet, Koh Kong Hot News, regarding Sothy and the demolition by authorities earlier this month of crops and wooden houses on disputed land.

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. Officials deny the land in question is included under a sub-decree carving out land for private use, and have accused Chhiv and the others of encroaching on protected parkland. Source: <https://bit.ly/2YTnfUr>

Human Rights Watch released a statement expressing its seriously concerned about the harassment against Yuon Chhiv.

The persecution of local online reporter Yuon Chhiv shows how the Cambodian government is systematically silencing the few independent journalists and media outlets left in the country," Phil Robertson, Deputy Asia Director of Human Rights Watch, said in a statement.

He added that using the excuse of fighting so-called 'fake news' and disinformation, the government is resorting to criminal prosecutions in Cambodia's politicized court system to target independent journalists based on bogus allegations.

Foreign governments should make urgent, public demands that the few remaining independent online news platforms and their reporters are protected from the government's crackdown on independent media," Robertson said.

2. Two journalists concerned about detention after refusing to accept alleged bribes from court officials

Two journalists are worried they could be detained after reporting on the clearing of state forests located Preah Vihear province and refusing to take alleged bribes from court officials to drop the story. The provincial prosecutor has issued a summons for them to testify for the second time on September 21 in four criminal cases.

The two journalists are a reporter for Hang Meas TV, Try Vichika, and a reporter for NICE TV in Preah Vihear province, Mr. Try Sophal.

Mr. Try Vichika said that the lawsuit came after they refused to accept \$ 4,000 from a close friend of deputy prosecutor Vuth Savy, which he suspected was a bribe to keep them quiet about the issue. Source: <https://bit.ly/3BK03qh>

3. Citizen journalist detained filming police station amid airport dispute

A citizen journalist was detained on September 13 and later released after filming a police station and preparing to interview family members of 30 Kandal villagers arrested in a land dispute over Phnom Penh's new international airport.

Chray Nim, 41, was arrested around 11 a.m. outside the police station, according to her daughter Reaksa Reasey. Reasey said she had come with her mother, and saw six officers drag her into the compound. Nim was filming the police station's gate as a citizen journalist, Reasey said.

Reasey was also questioned for an hour before being released, she said. "They questioned where my mother came from and what she does. I told them that I don't know because I'm just a student," Reasey said. "I was very, very scared seeing her in handcuffs."

In the afternoon, a guard at the police station also told VOD: "No pictures. If you continue to take them, I'll get someone to take you."

Nim was released in the evening. Nim told VOD after her release that she had only started filming, had not interviewed anyone yet, and had not broadcast live. She was questioned about who she worked for and whether she had sought permission to film. She would only say that she was a “community citizen journalist” and not where her reports were published.

“They asked whether I had asked permission from them or not and I told them that I go to take videos everywhere and I have never asked permission,” she said.

“Anywhere people protest we go to cover it,” Nim added. “This is a threat and silences the freedoms and rights of independent citizen journalists.” Source: <https://bit.ly/3DIN9cH>

4. Nine online journalists arrested over attempted extortion of someone transporting a wood house



Arrested journalists are sent to Stung Treng provincial military police headquarter for questioning over accusations of extortion on September 7. Photo supplied

Nine online news journalists, including a deputy-editor-in-chief, remain in pre-trial detention after being arrested on Sept. 7 over accusations that they attempted to extort money from someone transporting a wood house in Stung Treng province.

The journalists are now being questioned at the provincial Military Police headquarters. Eng Hy, spokesman for the National Military Police, confirmed the arrest in Thala Barivat district.

“Yes, we [military police] have arrested them, and right now are proceeding with the procedure,” he said, declining to comment further.

The publisher of BPNEWS online, who only gave the name of Socheat, said he was aware of the arrest of one staffer and was trying to help him.

“I have never seen him extorting somebody’s money,” he said. He noted a recent increase in restrictions on press freedom, especially those covering forestry crimes.

“As you know, that is a restriction of journalist’s freedom, that they don’t want us to disseminate their information [on forestry offenses]” he said.

Information Ministry spokesman Meas Sophorn, said that the arrested journalists were involved in extorting money, noting that a vehicle owner had official permission to transport the wood.

"I would like to say that the detaining and extorting money is not an obligation of journalists," he said. "Those journalists who have committed the offense above, it is illegal. So, they have to face the law, and it is not violating or threatening, or restricting the rights of journalists." Source: <https://bit.ly/3vmkiYP>

5. Journalists covering mega airport project face threat and harassment



Villagers gather to hold a press conference about their land dispute over the newly planned airport in Kandal Stung district on September 4, 2021. Photo Supplied

A reporter for Voice of Democracy said he was harassed by authorities on Saturday while covering a land dispute between developers of a new airport project and affected villagers in Kandal province.

Pok Kheuy, an intern at VOD, 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 on Saturday.

"When I interviewed the people, authorities dressed in civilian clothes took pictures of me

and my motorbike," he said. "After I finished my interviews, I drove my motorbike back to Phnom Penh and about 5 minutes later, I noticed that two people followed behind me."

Kheuy said as he drove, five uniformed police in the street tried pulling him over but he continued driving. "They still followed and said they were police and asked me to stop and talk to them, but I didn't stop, and when I refused to stop, they shouted at me calling me 'thief,'" he said.

Kheuy said he was frightened for his safety and considered it a threat against the freedom of press. "I would like to express the sorrow that authorities are abusing the existing law on the press that ensures the safety for journalists and that the journalists have the right to report and cover news anywhere that they are not banned from," he said.

The district governor said he was unaware of the case, while the provincial police chief hung up when asked about it. The Ministry of Information said, as a general rule, journalists are not allowed to enter places where authorities are operating. Source: <https://bit.ly/3aFB4Zr>

6. Journalists harassed on the job as authorities clear homes for development at Boeng Tompun



A man uses a smartphone to take photos Friday as local authorities use excavators to demolish homes in the Boeng Tompun 1 commune in the Meanchey district of Phnom Penh. Photo taken August 13, 2021. CamboJA/Pring Samrang

Two journalists say they were stopped and harassed by Phnom Penh police and security agents on August 13 while covering a land dispute between authorities and residents along Boeng Tompun lake.

That same day, dozens of Meanchey district authorities used bulldozers and other heavy machinery to clear the homes of about 11 families along the reservoir in the city's Boeng Tompun 1 commune, one week after ordering the homes be dismantled to make way for a private development.

An Vicheth, a freelance journalist working with CamboJA who was covering the home

demolitions, said police confiscated his smartphone and press card and ordered him to delete all images he'd taken of the site. "I was asked to show a press card and delete all photos," he said. "They took my press card away and asked me to leave the place immediately or there would be a problem, saying this is their area, so no photography was allowed."

Vicheth said the encounter was a serious violation of press freedom and a restriction on journalists' work.

"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," he said.

VOA Khmer reporter Lors Liblib, who also covered the dispute, said about 50 authorities took part in demolishing people's homes.

"I was taking pictures when people were angry with the authorities," he said. "Then [police] pointed at me, ordered for me to be arrested and my cell phone confiscated, and deleted all the pictures."

Liblib said then authorities ordered him to leave the place, or else they would take other legal action.

"For me, I think this is a threat to the freedom of the press and they may want to hide this from the public," he said.

The Cambodian Journalists Alliance Association (CamboJA) denounced the Meanchey district police and security agents for confiscating the identification cards of the reporters and called on authorities to immediately stop such violations.

However, Phnom Penh deputy Governor Keut Chhe said the authorities' actions against the reporters had been legally permitted.

"If we look at the instructions of the Ministry of Information, in the operation locations of authorities, journalists do not have immunity to enter the location," he said. "Professional journalists must follow the instructions and the law, because it does not mean journalists have the right to access during the operation."

Source: <https://bit.ly/3DKg28t>

7. Three journalists detained, 'educated' for covering Boeng Tompun dispute

Three journalists who were attempting a live broadcast from a land protest at Phnom Penh's Boeng Tompun lake area were taken to a police station and made to sign an agreement that they would not make the same mistake again.

Leng Van Sothea, publisher of Cam-Hot News, said on Thursday that he did not want to make a big deal out of the incident as his team had made the mistake.

The journalists were covering a small protest in early June related to a reservoir-building project on land claimed by more than 30 families. [Main story: Boeng Tompun Residents' Land Dug Up for City Reservoir]

But authorities put the three from Cam-Hot News in a vehicle and took them to a commune police station, where they were questioned from 9 a.m. to 1 p.m., he said.

“They asked us to make an agreement not to let it happen like this again next time, as they said we were doing it without permission,” Van Sothea said. “It was not a big deal and we do not want to make it become a big deal, since our report had flaws...We did not commit an illegal thing, but nobody’s perfect and the most important thing is we know what we have done.” Source: <https://bit.ly/3j456Lc>

8. Jailed journalist slapped with incitement, Covid-19 Law charges

A journalist working for Siem Reap Breaking News and arrested on 14 July and charged with incitement and violations of the Covid-19 Law, the latter punishable by up to three years in prison.

Kao Piseth, 32, was arrested by provincial military police in Battambang city for alleged incitement, apparently linked to a Facebook post questioning the efficacy of Chinese-made coronavirus vaccines.

Military police confirmed the arrest was linked to Facebook posts from Piseth, but did not specify exactly what the journalist had said or done on the social media platform to warrant the arrest.

Duong Saron, a spokesperson for the Battambang court prosecutor’s office, confirmed on Friday that Piseth has been charged with incitement under Article 495 of Criminal Code, as well as Article 11 of the controversial Covid-19 Law for “obstruction of measure enforcement.”

While incitement carries up to two years in prison, the Covid-19 law violation carries a six-month to three-year prison sentence for intentionally obstructing or deterring the implementation of measures taken to curb the spread of the virus. It also carries a potential fine of about \$500 to \$2,500.

In a June 27 Facebook post, Piseth questioned whether Chinese vaccines had been evaluated by the World Health Organization and if the vaccines should be used in Cambodia.

“Have the Chinese vaccines been evaluated by the WHO yet? If it has not, it should not be brought to inject because it has not been recognized,” the post said. Source: <https://bit.ly/3vsvcMV>

9. Journalist reporting on new airport's land dispute faces pressure

News publisher Luos Seng, of Luos Seng News, says he is facing pressure from local officials to stop covering land disputes related to Phnom Penh's new international airport in Kandal province. And when he reached out to the Information Minister for help, Seng was told the case was going to court.

Seng said he regularly visited the protest site to cover the case, including broadcasting a recent cursing ceremony.

"When we are stationed there, the company cannot do anything on the land. I tried to cover the truth about the situation and people's concerns. We broadcast what people said — this point made them angry with me, especially the governor," Seng said.

Kandal Stung district police chief Leng Sorun said journalists were live broadcasting without seeking permission and had gone too far in their coverage. "They came to broadcast without asking the district authorities. ... There has been difficulty," Sorun said.

After the warnings from district officials, Seng contacted Information Minister Khieu Kanharith for help, and Kanharith replied that the Kandal governor had complained to him as well and a case was headed to court, according to a screenshot of messages, provided by Seng. Kanharith declined to meet Seng.

Earlier this month, the Information Ministry issued a public letter saying provincial authorities had 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 says. Source: <https://bit.ly/3mZDpEc>

Reporting in a Hostile Environment — Updates on Cambodia's Media Situation

Among the many challenges facing Cambodian journalists, the fear of legal trouble continues to be a daily part of the job. Journalists often feel intimidated or threatened by government actions, whether it be police stopping journalists from filming or taking legal actions against them for simply doing their job.

From January through September 2021, 46 cases of harassment against 78 journalists (5 female) have been recorded. Thirty of them were arrested, nine faces other legal actions, and 15 experienced violence and harassment; 7 media licenses were revoked.

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



A woman broadcasts a Facebook live video of a protest outside the UN office in Cambodia carried out by family members of former opposition activists. Picture taken on June 4, 2021. CamboJA/ Pring Samrang

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.

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 livestreamed a protest against a new airport development in Kandal Stung district. In its response, the ministry gave the provincial administration permission to pursue legal action independently without first going through the ministry.

“[In the cases of] those unprofessional journalists who violate the law or obstruct the authorities’ operation, disseminate false information and [commit] incitement that damages the benefit of any individual or institution, legal action can be taken by authorities,” the letter said.

Nop Vy, executive director of the Cambodian Journalists Alliance Association, said that journalists who commit an offense in their reporting should be penalized under the press law, not the penal code.

"I think this is a picture of the intimidation of journalists, which is not new and still happening," he said. "We should better train and educate them on ethics and professionalism, rather than continuing to threaten them."

He also said that any attempt to ban journalists from entering a space must be based on the law.

"And if the authorities continue to ban journalists from entering the area [where abuses are being carried out], it would be a restriction on the freedom of the press," he said.

Source: <https://bit.ly/2XgjsjR>

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



Cambodia's ministry of information Khieu Kanharith has officially launched its government's "ethics committee" on 2 August, 2021 (photo: Cambodian ministry of information / RSF).

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.

Source: <https://bit.ly/3FOkYet>

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.

The Monitoring Committee for Journalism Ethics conducted its first meeting on September 1. The committee has decided to give times to all members to review the terms-of-reference of the committee and provide feedback for improvement during the next meeting.

III. Journalists still in prison and pre-trial detention

Journalists Ros Sokhet, Sok Oudom and Yuon Chhiv are imprisoned for felony incitement convictions related to their work. And according to CamboJA’s records, there are an additional 13 journalists (mostly online media members) in pre-trial detention.

- A journalist working for Siem Reap Breaking News, Kao Piseth was arrested on 14 July, 2021 and charged with incitement and violations of the Covid-19 Law. Source: <https://bit.ly/3IND34f>
- 8 journalists in Preah Vihear province were arrested on 4 June, 2021 for alleged extortion form a timber trader. One was released on bail. Source: <https://bit.ly/3j7XtmK>
- 5 journalists in Kandal province were arrested on 20 June, 2021 for allegedly money extortion form illegal cock fighting. (Source: <https://bit.ly/3pbEdc2>)

Nine online news journalists in Stung Treng province namely Sam Ratha, Chres Sokhon, Oeun Sokheng, Ith Rithy, Bol Thai, Ly Thea, Nop Bunthym, Kong Sothearoeun and Ly Vann who were arrested on 7 September, 2021 for allegedly money extortion form timber trader/wood transporter were released on bail on 30 September, 2021. Source: <https://bit.ly/3n1noO7>

IV. Continued restriction on free flow of information

The divide continues to widen between Cambodia's commitments to upholding press freedom and the country's specific laws on the media.

Cambodia became a party to the International Covenant on Civil and Political Rights (ICCPR) on 26 August 1992.

"Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice," says article 19 of the ICCPR.

Article 31 of the Constitution guarantees the Covenant as part of Cambodian law and other articles reaffirm Cambodia's commitment to ensuring that all Cambodians are able to enjoy their civil and political rights to the fullest extent possible.

However, the legal and regulatory framework of Cambodia's media sector continues to be restricted. This year, the country has adopted various new legal document which observers consider new tools to further curtail freedom of expression and free flow of information. Those legal tools include:

- The Sub-Decree on the National Internet Gateway (NIG) (February 2021) enables mass surveillance of online activities and permits censorship of critical content online
- The Covid-19 Control Law (March, 2021)
- Cyber Crime Law (Draft)
- Cyber Security Law (Draft)

And other laws adopted in previous years include:

- The State of Emergency Law (April 2020) gives authorities sweeping powers to restrict or prohibit freedom of expression
- Inter-ministerial Prakas No. 170 (May 2018) on Social Media and Website Control gives authorities unfettered power to censor online content seen as critical
- The Criminal Code (2009):
 - Article 305 outlaws defamation
 - Article 425 prohibits "falsifying information/disinformation"
 - Article 437-bis (Lèse-majesté provision) prohibits defaming or insulting the king
 - Article 453 (Conspiracy)
 - Article 494 and 495 (Incitement to commit a felony) are frequently used to stifle freedom of expression

Source: United Nations Office on Drugs and Crime (UNODC), Asia Centre, The Cambodian Center for Human Rights (CCHR)

V. Self-censorship

Self-censorship among journalists resulting from the enforcement of these laws and regulations is another concern that CamboJA and dozens of NGOs expressed on the occasion of World Press Freedom Day 2021 this year. The 2020 survey reports 81.31% of respondents said they have experienced self-censorship because of the current political situation. Source: <https://bit.ly/3BYL8cc>

Asia Center's Regional Director, Dr. James Gomez said during the online launch of its baseline study: "Internet Freedoms in Cambodia: A Gateway to Control" on 1 September 2021 that provisions in the constitution, the penal code, the law on telecommunications, the inter-ministerial Prakas No.170, the national internet gateway and the draft of cyber crime law allow the government to monitor and persecute online users — resulting in fear.

Hence, people have become reluctant to express their political opinions online. This has led to acute self-censorship that has caused people to refrain from posting and sharing information, only consume online content privately, cease accessing political content and avoid online political participation.

VI. Government ramps up monitoring of 'fake news'

Online discussion or expression continue to be closely monitored by at least three government media monitoring teams: a social media monitoring team under the Inter-Ministerial Prakas No. 170, Fake News Monitoring Committee of Ministry of Information, and the Press Quick and Reaction Unit (PQRU) of the Council of Ministers, whose mandate includes "carrying out media work and reacting to content with a negative character coming from national and international media".

For example, in the first eight months of 2021, the Ministry of Information found more than 1,000 cases related to false news, false information, inciting social pollution and insulting government leaders.

Meanwhile, the government has been actively curbing the rights of journalists and social media news outlets in their reporting on the COVID-19 pandemic.

One example is the case of journalist Kao Piseth, who was arrested on 14 July 2021 for expressing his concerns on Facebook on the use of China's Sinopharm and Sinovac vaccines in Cambodia (RSF, 2021).

These cases exemplify the extent to which information gathered through government monitoring is used to suppress critical discussions about the government or politics.

According to the Ministry of Information, in the first eight months of 2021, the Ministry of Information found 1,061 cases related to false news, false information, inciting social pollution and insulting leaders bring.

These included cases of criticism of the country's Covid-19 epidemic, the Covid-19 vaccination campaign, as well as officials blocking roads and other measures to enforce Covid-19 lockdowns. Source: <https://bit.ly/2YXFrw9>

VII. Ministry of Information: Access to information law set to be approved this year

The long-delayed Freedom of Information law may finally head to the National Assembly and come into force, according to Minister of Information Khieu Kanharith.

"The draft law has been completed and we are currently waiting for the final endorsement from the Ministry of Justice before submitting it to the National Assembly," said Kanharith on the International Day for Universal Access to Information 2021.

"After the law is enforced in Cambodia, I hope that Cambodian citizens will receive accurate and reliable information to make better-informed decisions," he added.

Meas Sophorn, Secretary of State and Spokesman of the Ministry of Information said that the draft law is currently with the Ministry of Justice, which is poring over the penalty chapter after the discussions with various stakeholders had ended at technical and inter-ministerial levels.

VIII. Pushing for data protection

Excerpted from an Asia Centre article

Data protection is needed in Cambodia to address self-censorship arising from the monitoring and persecution of online users. This was the key theme that emerged during the online launch of Asia Centre's study on internet freedoms in Cambodia.

In his opening remarks, the UN special rapporteur on the situation of human rights in Cambodia, Vitit **Muntarbhorn**, stated that the government needs to comply with international human rights standards. Given decreasing internet freedoms in Cambodia, he recommended that data protection and access to information be instituted to enable people to express their opinion without fear.

Soung Khoy, Child and Youth Empowerment Coordinator at the Child Rights Coalition Cambodia, explained the fear among the younger generation in accessing information and producing content. He said that people in Cambodia, especially children and youth, are afraid of legal charges for posting or commenting online. Some are even afraid to express their own political opinion or talk about human rights and social justice using their private platforms.

Dr. Robin Ramcharan, executive director at Asia Centre, emphasized the importance of data protection legislation as it can ensure people's safety while accessing information and expressing their views online. In this context, a data protection and privacy act can shield people in Cambodia from undue surveillance and sharing of their personal information. This can prevent the use of personal data for political persecution and reduce fear among online users. Source: <https://bit.ly/2YWOHku>

IX. Government promotes Chinese media startup

Excerpted from sponsored article in the Phnom Penh Post

Cambodian Minister of Information HE Khieu Kanharith on Friday led on-site inspections and provided guidance to the Asia-Pacific Times. Asia-Pacific Times is a media aggregation platform based in the Kingdom covering the Asia-Pacific region. Committed to in-depth, serious and objective news reporting, AP Times is set to herald a new era in Cambodian-Chinese media.

AP Times was approved officially for publication by the Ministry of Information of Cambodia on July 21 this year.

AP Times CEO Li Tao said that AP Times is set to be a new Chinese media force focusing on policies, economy, trade and Chinese investment in Cambodia and Southeast Asia, reporting to the world on the achievements and progress in the development of the Kingdom and the region in order to increase international awareness.

Source: <https://bit.ly/3aEfpkr>

X. Three broadcasting giants team up to form Television Alliance

Excerpted from an article in the Khmer Times

Three private television stations have entered into a joint investment agreement to establish a television alliance, a move to build digital TV broadcasting in Cambodia.

The agreement was signed on Thursday by Hun Mana of Bayon Group, Kith Meng of Royal Group and Ing Chhay Nguon of Hang Meas Group.

The Television Alliance is formed with an aim to create a state-private joint venture for management of 'national digital television platform', which will offer a multi-channel digital TV broadcast on DVB-T2 with a wide range of channels to promote information, education, knowledge, arts, entertainment, sports and entertainment.

The strategy of the Royal Government of Cambodia has set 2023 for the launch of the national digital television platform, requiring all private analog TV companies to use the national digital television platform service and continue to broadcast both analog and digital systems.

Analog broadcasting in Cambodia is planned to be switched off by the end of 2025.

Source: <https://bit.ly/3DEcSTE>



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